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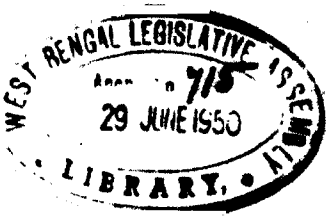

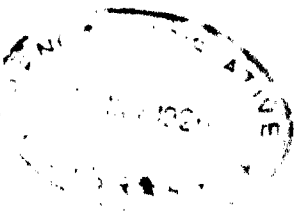

Council Proceedings

Official Report

Bengal Legislative Council

Twentieth Session, 1926

15th to 19th and 22nd March, 1926

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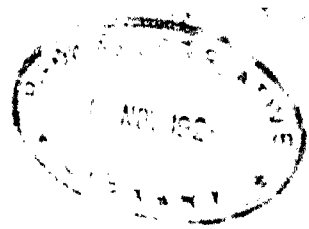

GOVERNMENT OF BENGAL.

GOVERNOR OF BENGAL.

His Excellency the Right Hon'ble VICTOR ALEXANDER GEORGE ROBERT BULWER-LYTTON, Earl of Lytton, P.C., G.C.S.I., G.C.I.E.

MEMBERS OF THE EXECUTIVE COUNCIL.

The Hon'ble Sir HUGH STEPHENSON, K.C.I.E., C.S.I., I.C.S., in charge of the following portfolios:—

1. Appointment.
2. Political, excluding Haj pilgrimage.
3. Police.
4. Ecclesiastical.
5. Regulation of medical and other professional qualifications and standards, subject to legislation by the Indian Legislature.
6. Jails.
7. Judicial.
8. Legislative, including the Executive Administration of the Legislative Department and elections for Indian and Provincial Legislatures, subject to rules framed under sections 64 (*1*) and 72 (*a*) of the Government of India Act.

The Hon'ble Mr. J. DONALD, C.S.I., C.I.E., I.C.S., in charge of the following portfolios:—

1. Finance.
2. Separate Revenue.
3. Commerce and Industrial subjects.
4. Marine.
5. Education.
6. Public Works.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia, in charge of the following portfolios:—

1. Land Revenue.
2. Land Acquisition.
3. Excluded areas.
4. Irrigation.
5. Medical administration, including hospitals, dispensaries and asylums and provision for medical education.
6. Local Self-Government.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, C.I.E., in charge of the following portfolios:—

1. Emigration.
2. Immigration.
3. Jurisdiction.
4. Haj Pilgrimage.
5. Forests.
6. Agriculture and Industries.
7. Excise.
8. Registration.

PRINCIPAL OFFICERS OF THE BENGAL LEGISLATIVE COUNCIL.

PRESIDENT.

The Hon'ble Kumar SHIB SHEKHARESWAR RAY.

DEPUTY PRESIDENT.

Dr. ABDULLAH AL-MAMU SUHRAWARDY.

Panel of Chairmen for the Twentieth Session.

Babu JATINDRA NATH BASU.

Maulvi EKRAMUL HUQ.

Mr. G. MORGAN.

Raja MANMATHA NATH RAY CHAUDHURI of Santosh.

Secretary to the Council—J. BARTLEY, I.C.S., (on leave). A. DEC. WILLIAMS, I.C.S. (Offg.).

Assistant Secretaries to the Council—A. M. HUTCHISON (on leave), K. N. MAJUMDAR, and J. W. MC KAY (Offg.).

Registrar to the Council—M. MUKHERJI (Offg.).

BENGAL LEGISLATIVE COUNCIL.

ALPHABETICAL LIST OF MEMBERS.

A

Addams-Williams, Mr. C., C.I.E. (Nominated Official.)
Addy, Babu Amulya Dhone. (Bengal National Chamber of Commerce.)
Ahamad, Maulvi Asimuddin. [Tippera (Muhammadan).]
Ahmed, Maulvi Tayebuddin. [Mymensingh East (Muhammadan).]
Ahmed, Maulvi Zannoor. [Burdwan Division South (Muhammadan).]
Ahsanullah, Mollah. [Rajshahi North (Muhammadan).]
Aley, Khan Bahadur S. Mahboob. [Calcutta North (Muhammadan).]
Ali, Maulvi Sayyed Sultan. [Khulna (Muhammadan).]
Ali, Mr. Altaf. [Mymensingh East (Muhammadan).]

B

Bagchi, Babu Romes Chandra. [Malda (Non-Muhammadan).]
Baksh, Maulvi Kader. [Dinajpur (Muhammadan).]
Banerjea, Dr. Pramathanath. [Calcutta East (Non-Muhammadan).]
Banerjee, Babu Satya Kishore. (Burdwan Landholders.)
Banerjee, Mr. A. C. [Calcutta South Central (Non-Muhammadan).]
Banerjee, Rai Bahadur Abinash Chandra. (Nominated Non-official.)
Barma, Rai Sahib Panchanan, M.B.E. [Rangpur (Non-Muhammadan).]
Barton, Mr. H. (Anglo-Indian.)
Basu, Babu Jatindra Nath. [Calcutta North (Non-Muhammadan).]
Basu, Babu Sarat Chandra. [Burdwan (Non-Muhammadan).]
Birley, Mr. L., C.I.E. (Nominated Official.)
Biswas, Mr. Abdul Latif, B.L. [Dacca West (Rural) Muhammadan.]
Bose, Babu Bejoy Krishna. (Calcutta University.)

C

Campbell, Mr. K. (Bengal Chamber of Commerce.)
Chakravarti, Mr. Byomkes. [24-Parganas Rural South (Non-Muhammadan).]
Chakravarti, Babu Jogindra Chandra. [Dinajpur (Non-Muhammadan).]
Chakravorty, Babu Sudarsan. [Rajshahi (Non-Muhammadan).]

Chatterjee, Babu Umes Chandra. [Bankura East (Non-Muhammadan).]
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur, C.I.E. [Member, Executive Council.]
Chaudhuri, Rai Harendranath. [24-Parganas Rural North (Non-Muhammadan).]
Chaudhury, Maulvi Md. Nurul Huq. [Chittagong (Muhammadan).]
Chaudhury, Maulvi Saiyed Abdur Rob. [Faridpur South (Muhammadan).]
Child, Mr. R. H. (Bengal Chamber of Commerce.)
Chowdhury, Maulvi Fazlal Karim. [Bakarganj North (Muhammadan).]
Chunder, Mr. Nirmal Chandra. [Calcutta North Central (Non-Muhammadan).]
Cohen, Mr. D. J. (Nominated Non-official.)
Cooper, Mr. C. G. (Indian Jute Mills Association.)
Corcoran, Mr. B. J. [Dacca and Chittagong (European).]
Crawford, Mr. T. C. (Indian Tea Association.)

D

Das, Babu Charu Chandra. (Nominated Non-official.)
Das, Dr. Mohini Mohan. [Faridpur South (Non-Muhammadan).]
Das, Rai Bahadur Amar Nath. (Nominated Official.)
Das Gupta, Dr. J. M. [Bogra *cum* Pabna (Non-Muhammadan).]
Datta, Babu Akhil Chandra. [Tippera (Non-Muhammadan).]
Daud, Mr. M. (Nominated Non-official.)
De, Mr. K. C., C.I.E. (Nominated Official.)
Dey, Babu Boroda Prosad. [Hooghly Municipal (Non-Muhammadan).]
Donald, the Hon'ble Mr. J., C.S.I., C.I.E. (Member, Executive Council.)
Doss, Rai Bahadur Pyari Lal, M.B.E. [Dacca City (Non-Muhammadan).]
Drummond, Mr. J. G. (Nominated Official.)
Dutt, Mr. G. S. (Nominated Official.)

F

Faroqui, Khan Bahadur K. G. M. (Nominated Non-official.)
Forrester, Mr. J. Campbell. [Presidency and Burdwan (European).]

G

Gafur, Maulvi Abdul. [Pabna (Muhammadan).]
Ganguly, Babu Khagendra Nath. [Howrah Municipal (Non-Muhammadan).]
Ghuznavi, Hadji Mr. A. K. Abu Ahmed Khan. [Mymensingh West (Muhammadan).]
Goenka, Rai Bahadur Badridas. (Bengal Marwari Association.)
Guha, Mr. P. N. (Nominated Non-official.)

H

Haldar, Mr. S. N. [Calcutta South (Non-Muhammadan).]
Haq, Khan Bahadur Kazi Zahirul. [Dacca East Rural (Muhammadan).]
Haq, Shah Syed Emdadul. [Tippera (Muhammadan).]
Heard, Major-General Richard, C.I.E., M.D., K.H.S., I.M.S. (Nominated Official.)
Hopkyns, Mr. W. S., O.B.E. (Nominated Official.)
Hoque, Maulvi Sayedul. [Noakhali (Muhammadan).]
Hossain, Nawab Musharruf, Khan Bahadur. [Malda *cum* Jalpaiguri (Muhammadan).]
Hossain, Maulvi Wahed. [Barrackpore Municipal (Muhammadan).]
Huq, Maulvi A. K. Fazl-ul. [Bakarganj West (Muhammadan).]
Huq, Maulvi Ekramul. [Murshidabad (Muhammadan).]
Huq, Mr. Mahbubul. [24-Parganas Municipal (Muhammadan).]

J

James, Mr. F. E., O.B.E. [Presidency and Burdwan (European).]
Jennaway, Mr. J. H. (Indian Mining Association.)
Joardar, Maulvi Aftab Hossain. [Nadia (Muhammadan).]

K

Khaitan, Babu Debi Prosad. (Nominated Non-official.)
Khan, Babu Debendra Lal. [Midnapore North (Non-Muhammadan).]
Khan, Maulvi Abdur Raschid. [Noakhali (Muhammadan).]
Khan, Maulvi Amanat. [Chittagong (Muhammadan).]
Khan, Maulvi Mahi Uddin. [Rangpur East (Muhammadan).]

L

Lal Mahammad, Haji. [Rajshahi South (Muhammadan).]
Law, Raja Reshee Case, C.I.E. (Bengal National Chamber of Commerce.)
Lindsay, Mr. J. H., I.C.S. (Nominated Official.)

M

Muhammad, Maulvi Basar. [Rangpur West (Muhammadan).]
Maity, Babu Mahendra Nath. [Midnapore South (Non-Muhammadan).]
Masih, Mr. Syed M. [Faridpur North (Muhammadan).]
McAlpin, Mr. M. C., C.I.E. (Expert, nominated.)
Mitra, Babu Jogendra Nath. [Jessore South (Non-Muhammadan).]
Mitra, Babu Satyendra Chandra. [Noakhali (Non-Muhammadan).]

Mitter, Sir Provash Chunder, Kt., C.I.E. (Presidency Landholders.)
Moreno, Dr. H. W. B. (Anglo-Indian.)
Morgan, Mr. G. (Bengal Chamber of Commerce.)
Mukerjea, Babu Taraknath. [Hooghly Rural (Non-Muhammadan).]
Mukerji, Mr. S. C. (Nominated Non-official.)
Mumin, Khan Bahadur Md. Abdul. (Expert, nominated.)

N

Nandy, Maharaj Kumar Sris Chandra. [Murshidabad (Non-Muhammadan).]
Nasker, Babu Hem Chandra. [24-Parganas Rural Central (Non-Muhammadan).]
Nazimuddin, Khaje. [Bakarganj South (Muhammadan).]
Neogi, Babu Manmohon. [Mymensingh West (Non-Muhammadan).]*

O

Oaten, Mr. E. F. (Nominated Official.)

P

Pahlowan, Maulvi Md. Abdul Jubbar. [Mymensingh West (Muhammadan).]
Patterson, Mr. D. C. (Nominated Official.)
Philip, Mr. J. Y. (Bengal Chamber of Commerce.)

Q

Quader, Maulvi Abdul. [Jessore South (Muhammadan).]

R

Rahim, Sir Abd-ur, K.C.S.I. [Hooghly *cum* Howrah Municipal (Muhammadan).]
Rahman, Mr. A. F. (Dacca University.)
Raikat, Mr. Prasanna Deb. [Jalpaiguri (Non-Muhammadan).]
Ray, Babu Abanish Chandra. [Birbhum (Non-Muhammadan).]
Ray, Babu Anilbaran. [Bankura West (Non-Muhammadan).]
Ray, Babu Nagendra Narayan. [Rangpur (Non-Muhammadan).]
Ray, Babu Surendra Nath. [24-Parganas Municipal South (Non-Muhammadan).]
Ray, Dr. Kumud Sankar. [Faridpur North (Non-Muhammadan).]
*Ray, the Hon'ble Kumar Shib Shekhareswar. (Rajshahi Landholders.)
Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra of Nadia. (Member, Executive Council.)
Ray Chaudhuri, Mr. K. C. (Nominated Non-official.)
Ray Chaudhuri, Raja Manmatha Nath, of Santosh. (Dacca Landholders.)

* President of the Bengal Legislative Council.

Roy, Babu Manmatha Nath. [Howrah Rural (Non-Muhammadan).]
Roy, Babu Satcowripati. [Calcutta North-West (Non-Muhammadan).]
Roy, Dr. Bidhan Chandra. [24-Parganas Municipal North (Non-Muhammadan).]
Roy, Mr. D. N. [Jessore North (Non-Muhammadan).]
Roy, Mr. Kiran Sankar. [Dacca Rural (Non-Muhammadan).]
Roy, Mr. S. N., I.C.S. (Nominated Official.)
Roy, Mr. Tarit Bhusan. (Bengal Mahajan Sabha.)
Roy, Raja Maniloll Singh, C.I.E., of Chakdighi. [Burdwan (Non-Muhammadan).]
Roy Chaudhuri, Babu Sailaja Nath. [Khulna (Non-Muhammadan).]
Roy Choudhuri, Rai Bahadur Satyendra Nath. [Bakarganj South (Non-Muhammadan).]

S

Salam, Khan Bahadur Maulvi Abdus. [Jessore North (Muhammadan).]
Sarkar, Babu Hemanta Kumar. [Nadia (Non-Muhammadan).]
Sarkar, Maulvi Allah Buksh. [Dacca City (Muhammadan).]
Sarker, Babu Naliniranjan. [Mymensingh East (Non-Muhammadan).]
Sasmal, Mr. B. N. [Midnapore South (Non-Muhammadan).]
Sen, Mr. N. C. [Bakarganj North (Non-Muhammadan).]
Sen Gupta, Mr. J. M. [Chittagong (Non-Muhammadan).]
Simpson, Mr. J. W. A. (Indian Jute Mills Association.)
Singha, Mr. Arun Chandra. (Chittagong Landholders.)
Skinner, Mr. S. A. (Bengal Chamber of Commerce.)
Snaith, Mr. J. F. (Calcutta Trades.)
Stephenson, the Hon'ble Sir Hugh, K.C.I.E., C.S.I. (Member, Executive Council.)
*Suhrawardy, Dr. A. [24-Parganas Rural (Muhammadan).]
Suhrawardy, Mr. Huseyn Shaheed. [Calcutta South (Muhammadan).]

T

Tarafdar, Maulvi Rajib Uddin. [Bogra Muhammadan).]
Travers, Mr. W. L., C.I.E., O.B.E. [Rajshahi (European).]

V

Villiers, Mr. Edward. [Presidency and Burdwan (European).]

W

Wilson, Mr. R. B., C.I.E. (Bengal Chamber of Commerce.)
Woodhead, Mr. J. A. (Nominated Official.)

Y

Yasin, Maulvi Muhammadan. [Burdwan Division North (Muhammadan).]

* Deputy President of the Bengal Legislative Council.

THE BENGAL LEGISLATIVE COUNCIL PROCEEDINGS.

(Official Report of the Twentieth Session.)

VOLUME XX—No. 3.

Proceedings of the Bengal Legislative Council assembled under the provisions of the [illegible] of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Monday, the 15th March, 1926, at 2-30 P.M.

Present:

The Hon'ble the President (Kumar SHIB SHEKHARESWAR RAY) in the Chair, the four Hon'ble Members of the Executive Council, and 97 nominated and elected members.

Oath.

The following member made an oath of his allegiance to the Crown:—

Mr. D. C. PATTERSON, I.C.S.

Death of Colonel W. T. Grice.

Mr. PRESIDENT: GENTLEMEN OF THE COUNCIL,—It is my melancholy duty to convey to you the news of the death of Colonel W. T. Grice, C.I.E. In the old Bengal Legislative Council, for many years, he represented the Calcutta Trades Association of which he was a Master. Many members of this Council counted him among their personal friends. They will remember him as a man of fine presence, with transparent honesty of purpose in all that he did, a great business-man and a genial and kind personality. He took an active part in the public affairs of this great city. He was also a keen Volunteer and I am told that much of the efficiency and keenness that was found in the old Calcutta Volunteers was due mainly to the great example and enthusiasm set by Col. Grice.

Gentlemen of the Council, with your permission I shall ask the Secretary to convey to the members of the family of the late Colonel the sympathy of the Council in their great bereavement. I would now ask you kindly to rise in your places as a mark of respect to the late Colonel Grice.

(All the members then rose in their places.)

Mr. PRESIDENT: Thank you, gentlemen.

Starred Questions

(to which oral answers were given).

Criminal assault upon female at Howrah railway station.

***CXII. Maulvi ZANNOOR AHMED:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to lay on the table a statement showing—

(*i*) the number of cases under section 354, Indian Penal Code (criminal assault upon female), reported to the Howrah railway police in the year 1925;

(*ii*) the number of such cases detected by the police; and

(*iii*) the number of such cases which have ended in conviction?

(*b*) Is it a fact that these cases generally occur in the narrow entrance of the 3rd class passengers?

(*c*) Is it a fact that there has been recently an increase of these cases?

(*d*) If so, what are the reasons for such an increase?

(*e*) What steps have been taken by the police for the prevention and detection of these cases?

MEMBER in charge of POLICE DEPARTMENT (The Hon'ble Sir Hugh [illegible]): (*a*) (*i*), (*ii*) and (*iii*) No case under section 354, Indian Penal Code, was instituted before the Howrah railway police in 1925, but ten cases of indecent behaviour came to the notice of the police during 1925 and as the women concerned were not willing to lodge any charge under section 354, Indian Penal Code, action was taken against the offenders under sections 120 and 122 of the Indian Railway Act. Convictions were obtained in all these cases.

(*b*) No. They occur generally at the platform gates when the rush of passengers is heavy.

(*c*) and (*d*) It is not a fact that such cases are increasing. Few cases were instituted formerly under section 354, Indian Penal Code,

because aggrieved persons would not report them. By taking action under section 120, Indian Railway Act, the police are now able to bring to book more offenders.

(*c*) The police always take action now under section 120/122 of the Indian Railways Act, 1890, if no complaint is lodged.

Water-supply schemes in Malda.

***CXIII. Babu ROMES CHANDRA BACCHI:** (*a*) Will the Hon'ble Member in charge of the Department of Local Self-Government (Public Health) be pleased to lay on the table a list of projects for water-supply in the Malda district, recommended by the District Magistrate and the Chairman of the Malda District Board to the Commissioner of the Rajshahi Division?

(*b*) Was not the re-excavation of Rupa Sagar, a big tank situated in Sri-Ramkali, one of those recommended projects?

(*c*) Was the same project sanctioned by the Commissioner of the Rajshahi Division?

(*d*) If the answer to (*c*) is in the negative what was the reason therefor?

(*e*) Are the Government considering the desirability of reconsidering the matter?

MEMBER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (PUBLIC HEALTH) (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur of Nadia): (*a*) A copy of the list laid on the Library table.

(*b*) The answer is in the negative.

(*c*) No.

(*d*) The Commissioner was willing to allot Rs. 1,000 if at least Rs. 5,000 was raised from private sources; that condition was not fulfilled, so no grant was made.

(*e*) Government do not propose to interfere in a matter which has been left to the Divisional Commissioner's discretion.

Local Board elections in Jessore district.

***CXIV. Maulvi ABDUL QUADER:** (*a*) Will the Hon'ble Member in charge of the Department of Local Self-Government be pleased to state when the next election to the Local Boards of the Sadar, Bongong, Jhenidah, Magura and Narail subdivisions, respectively, of the Jessore district will take place?

(*b*) Are the Government considering the desirability of increasing the number of centres in each thana for recording votes in connection with the next Local Board elections in the five subdivisions?

MEMBER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur of Nadia): (*a*) The elections are due in all subdivisions except Sadar and in that subdivision they will be due in April. The Commissioner is being requested to see that preliminary steps are now taken for holding the elections.

(*b*) It is the District Magistrate who fixes the number of polling centres. His attention will be called to the instructions issued by Government on the subject—Circular No. 4392—4396-L.S.-G., dated the 21st November, 1923—a copy of which is laid on the table.

Copy referred to in the reply to clause (b) of starred question No. CXIV.

GOVERNMENT OF BENGAL.

LOCAL SELF-GOVERNMENT DEPARTMENT.

LOCAL SELF-GOVERNMENT (LOCAL BOARDS).

Circular Nos. 4392—4396-L.S.-G., dated Calcutta, the 21st November, 1923, from the Secretary to the Government of Bengal, to all Commissioners of Divisions.

I am directed to invite attention to rules 33 and 37 of the Rules for election of members of Local Boards. Rule 33 provides for the holding of elections in more than one place in a thana and rule 37 authorises the Magistrate to appoint Assistant Presiding Officers. These rules were framed with the object of avoiding delay in recording votes in thanas where heavy polling is expected. It has been brought to the notice of Government (Ministry of Local Self-Government) that the failure to make use of the powers given by these two rules to fix more than one polling place in a thana and to appoint Assistant Presiding Officers resulted recently in one case in the recording of votes being continued till late into the night and considerable inconvenience was in consequence caused to the voters.

I am accordingly to request that the attention of the District Magistrate in your division may be drawn to the desirability of providing a sufficient number of polling centres in thanas where heavy polling is expected in order that the recording of the votes may be completed at each place within a reasonable time.

Fracas between students and constables at Faridpur.

*BXV. **Dr. KUMUD SANKAR RAY:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state—

(*i*) whether it is a fact that several constables assaulted some students while sports competition were being held in the Faridpur Exhibition on the 24th January, 1926; and

(*ii*) whether it is a fact that nearly all the Gazetted Officers including the District Magistrate and the Additional Superintendent of Police were present at the time?

(*b*) If the answer to (*a*) (*ii*) is in the affirmative, will the Hon'ble Member be pleased to state the names of the other officers present?

(*c*) Did any of these officers try to dissuade the constables from assaulting the students?

(*d*) If so, will the Hon'ble Member be pleased to state whether it is a fact that the constables disobeyed their orders and continued assaulting the students?

(*e*) [illegible] fact that the alarm signal was given in the treasury for supp[illegible]ed police to the scene of occurrence?

(*f*) Will the Hon'ble Member be pleased to state what departmental action has been taken or is proposed to be taken to punish the constables who disobeyed the orders of the Magistrate and the Additional Superintendent of Police for dispersal?

(*g*) If any action has already been taken will the Hon'ble Member be pleased to state—

(*i*) what punishment has been meted out to the offending constables; and

(*ii*) the names of those constables?

(*h*) Had any of these constables been previously punished for being indisciplined?

(*i*) If so, will the Hon'ble Member be pleased to state their names?

The Hon'ble Sir HUGH STEPHENSON: (*a*) to (*d*) It is a fact that there was a fracas between students and constables in the course of which there were faults on both sides. It is the opinion of the District Magistrate, the Principal of the College and the Sports Committee that no useful purpose will be served by further inquiry, and I understand that this opinion is endorsed by the public of Faridpur and I have accepted this view. The District Magistrate and the Additional Superintendent of Police intervened after the fracas had begun and had difficulty in inducing both sides to desist.

(*e*) The alarm was sounded. It is not known by whom. The Inspector thereupon mobilised a force which was sent back to the lines by the Additional Superintendent of Police as not being required.

(*f*) and (*g*) A departmental inquiry is in progress regarding the conduct of certain constables in not leaving the ground at once when ordered to do so by the District Magistrate.

(*h*) and (*i*) Do not at present arise.

Subdivisional Officer, Katwa.

***CXVI. Babu SATCOWRIPATI ROY:** (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state whether he is aware—

(*i*) that the present Subdivisional Officer, Katwa, in the district of Burdwan, belongs to the same district; and

(*ii*) that his native village is situated only at a distance of 12 miles from the headquarter station of the subdivision?

(*b*) Is the Hon'ble Member aware that the Subdivisional Officer has money-lending business in his own name at many places in the subdivision?

(*c*) Is it a fact that complaints have been made to the District Magistrate of Burdwan and the Commissioner of the Burdwan Division alleging that fair and impartial justice was not being administered by him?

(*d*) Will the Hon'ble Member be pleased to state the number of motions for transfer of cases from the file of the Subdivisional Officer applied for during the last ten months on the allegation of partiality and bias?

(*e*) Is the Hon'ble Member aware that the usual term of three years of his service in the subdivision has long expired?

(*f*) Will the Hon'ble Member be pleased to state why the order of his transfer from Katwa was cancelled twice after its publication in the *Calcutta Gazette*?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Sir Hugh Stephenson): (*a*) (*i*) Yes.

(*ii*) His village is in the sadar subdivision and is 22 miles from Katwa.

(*b*) The Subdivisional Officer has no money-lending business in any part of the subdivision.

(*e*) Such complaints have been received. Upon inquiry into them by the local officers Government are satisfied that the complaints were without foundation.

(*d*) I have no information on the subject.

(*e*) There is no prescribed term of service in a station. The present Subdivisional Officer has been at Katwa since 18th July, 1922.

(*f*) His transfer was cancelled in the interests of the public service.

Sub-Inspectors of Schools.

***CXVII. Babu ROMES CHANDRA BAGCHI:** (*a*) Will the Hon'ble Member in charge of the Department of Education be pleased to state the minimum educational qualification required for the post of a Sub-Inspector of Schools?

(*b*) Is it a fact that there are officers serving in that capacity some of whom are matriculates and others not having even that qualification?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to lay on the table a statement showing, district by district, the number of matriculate and non-matriculate Sub-Inspectors of Schools?

MEMBER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. J. Donald): (*a*) The minimum educational qualifications required for appointment to the post of a Sub-Inspector of Schools in the general line are laid down in rule 1 (*c*) of the rules promulgated with Government Order No. 700, dated the 20th March, 1916, a copy of which is laid on the table. Candidates who have passed the final examination of Bengal Madrassahs and who possess a working knowledge of English are considered eligible for appointment as Sub-Inspectors of Maktabs.

(*b*) and (*c*) Two statements showing the number of matriculate and non-matriculate Sub-Inspectors of Schools and Sub-Inspectors of Maktabs are laid on the table.

Copy referred to in the reply to clause (a) of starred question No. CXVII.

G.O. No. 700, dated Calcutta, the 20th March, 1916, from the Hon'ble Mr. K. C. DE, C.I.E., I.C.S., *Officiating Secretary to the Government of Bengal, General Department, to the Director of Public Instruction, Bengal.*

In supersession of previous orders I am directed to forward herewith, duly approved by Government, a revised set of rules for the appointment of Deputy Inspectors, Sub-Inspectors and Assistant Sub-Inspectors in this Province.

RULES FOR THE APPOINTMENT OF DEPUTY INSPECTORS, SUB-INSPECTORS AND ASSISTANT SUB-INSPECTORS IN BENGAL.

1. A candidate for appointment as Deputy Inspector, Sub-Inspector, or Assistant Sub-Inspector should submit with his application certificates showing—

(*a*) his age, as declared and accepted when he went up for the Matriculation Examination; no candidates over 30 years of age will be eligible for appointment, unless they are already in Government service;

(*b*) (in the case of candidates for a Deputy Inspectorship) that he has taken a University degree or has passed some other examinations equivalent thereto and that he is a successful qualified teacher of at least three years' standing;

(*c*) (in the case of a candidate for a Sub-Inspectorship or Assistant Sub-Inspectorship) that he has passed the B. A. or L. T. Examination and has served successfully as a qualified teacher in a subordinate capacity in a High School or as Head Master of a Middle English School for not less than three years.

Exception.—The Divisional Inspector has discretionary power to relax the three years' rule in the case of Muhammadans and backward classes.

(*d*) that he is in sound health and capable of bearing fatigue or exposure. The certificate must be signed by the Civil Surgeon of the district in which the candidate resides;

(*e*) that he is of good moral character;

(*f*) that he belongs to a respectable family and is a native of or is domiciled in Bengal.

The application, after being registered, will be forwarded to the Magistrate or the Deputy Commissioner of the district in which the applicant resides with a request that he will personally ascertain and report whether the applicant bears a good character and is physically fit for the work and that he will make any recommendations or comments upon the application which appear to him to be called for.

2. Appointments to Deputy Inspectorships are ordinarily made by selection from the staff of Sub-Inspectors, should qualified candidates be forthcoming on this staff; as a general rule candidates of this class to merit such selection should have read up at least to the standard prescribed for a University degree.

3. On first appointment Deputy Inspectors, Sub-Inspectors and Assistant Sub-Inspectors of Schools will be on probation for one year.

4. A Probationary Deputy Inspector, Sub-Inspector, or Assistant Sub-Inspector who, prior to appointment, held a permanent post under Government will maintain a lien on that post during the period of his probation.

Statement referred to in the reply to clauses (b) and (c) of starred question No. CXVII showing the number of matriculate and non-matriculate Special Sub-Inspectors of Schools, district by district.

Serial No.	District.	Matriculate.	Non-Matriculate.	Remarks.
1	Midnapore	1	..	
2	Hooghly	1	..	
3	Rajshahi	1	..	
4	Rangpur	1	..	
5	Dinajpur	1	..	
6	Jalpaiguri	1	..	
7	Malda	..	1	
8	Darjeeling Hills ..	1	..	
9	Mymensingh	1	..	
10	Chittagong Hill Tracts ..	1	..	
	Total ..	9	1	

Statement referred to in the reply to clauses (b) and (c) of starred question No. CXVII showing the number of matriculate and non-matriculate Sub-Inspectors of Schools, district by district.

Serial No.	District.	Matriculate.	Non-Matriculate.	Remarks.
1	Dacca	..	1	These are Special Sub-Inspectors for Maktabs. They are mostly final Madrasah passed men with a working knowledge of English.
2	Mymensingh	..	1	
3	Bakarganj	..	1	
4	Rajshahi	..	1	
5	Tippera	1	..	
6	Chittagong (Sadar) ..	..	1	
7	Chittagong (Cox's Bazar) ..	..	1	
	Total ..	1	6	

Report about co-operative house-building scheme.

***CXVIII. Babu NALINIRANJAN SARKER:** (*a*) Will the Hon'ble Member in charge of the Department of Agriculture and Industries be pleased to state how often the Registrar, Co-operative Societies, Bengal, went to Bombay to study the co-operative house-building scheme?

(*b*) Will the Hon'ble Member be pleased to lay on the table a copy of the report which the said officer has submitted on the question?

MEMBER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur): (*a*) Once.

(*b*) The report is under the consideration of Government and it is not proposed to lay it on the table at this stage.

Dr. H. W. B. MORENO: Is it not a fact that the Registrar of Co-operative Societies submitted his report on the House Building Scheme over two years ago?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: No.

Headquarters stations of Assistant Registrars, Burdwan and Chittagong Divisions.

***CXIX. Babu NALINIRANJAN SARKER:** (*a*) Will the Hon'ble Member in charge of the Department of Agriculture and Industries be pleased to state whether the Assistant Registrars of Co-operative Societies in charge of the Chittagong and Burdwan Divisions have, since the creation of their separate charges, been working with headquarters at Dacca and Calcutta, respectively?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to lay on the table a statement showing the travelling allowance drawn by these two officers, year by year, since their appointment, because of their location in stations outside their jurisdiction?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) Yes.

(b) The extra expenditure in travelling allowance incurred, because of the location of the headquarters of the Assistant Registrar of Co-operative Societies, Chittagong Division at Dacca, is as follows:—

		Rs. A. P.
1921-22	...	199 10 0
1922-23	...	591 9 0
1923-24	...	239 0 0
1924-25	...	196 2 0
1925-26	...	206 7 0

No extra expenditure in travelling allowance was incurred because of the location of the headquarters of the Assistant Registrar, Burdwan Division, in Calcutta.

Mohsin Fund.

*CXX. **Maulvi MD. NURUL HUQ CHAUDHURY:** Will the Hon'ble Member in charge of the Department of Education be pleased to state in a tabular form—

(*i*) the gross and net revenue and income of the Haji Mohsin Trust Estate realised within the last three years;

(*ii*) the amount of expenses on the Hooghly Imambara during the same period;

(*iii*) the amount of expenses in charities and scholarships for the same period including the amount given on each head to different institutions; and

(*iv*) the surplus amount in the hands of the Government?

The Hon'ble Mr. J. DONALD: (*i*) A Statement I is laid on the table.

(*ii*) and (*iii*) A Statement II is laid on the table.

(*iv*) The balance at the close of the year 1924-25 was Rs. 53,721-15-9.

Referred to in the reply to starred question No. CXX.

STATEMENT I.

Statement showing the receipts of the Mohsin Endowment Fund for the years 1922-23, 1923-24 and 1924-25:—

Heads	1922-23.	1923-24.	1924-25.
	Rs. A. P.	Rs. A. P.	Rs. A. P.
Miscellaneous	44,028 5 2	40,355 11 8	39,509 4 6
Remittance from Syedpur Estate	60,000 0 0	55,000 0 0	60,000 0 0
Sale-proceeds of Trust Securities	....	....	30,297 6 3
Total ..	1,04,028 5 2	95,355 11 8	1,29,806 10 9

STATEMENT II.

Mohsin Endowment Fund.

Expenditure.	1922-23.	1923-24.	1924-25.
	Rs. A. P.	Rs. A. P.	Rs. A. P.
Muhammadan Education—			
Scholarships	19,717 8 2	25,509 3 9	18,622 2 2
Stipends	24,670 6 6	20,264 9 7	24,553 16 8
Grant to Madrassas	30 0 0	218 10 0	....
Expenditure on Muhammadan Education in Bihar and Orissa.	3,200 0 0	3,200 0 0	3,200 0 0
Short fee payments by Muhammadan students	875 0 0	750 0 0	....
Medical—			
Contribution to the Imambara Hospital ..	12,300 0 0	12,300 0 0	8,820 0 0
Unani Dispensary—			
Establishment	1,487 11 3	1,630 14 0	1,567 7 0
Bazar Medicines	261 7 0	418 12 0	409 0 0
Contingencies and Miscellaneous	282 15 3	124 13 9	135 7 6
Local Agent Establishment—			
Clerks and Servants	1,421 8 0	1,045 2 6	593 8 0
Miscellaneous	100 0 0	80 4 9	99 11 0
Religious Endowment—			
Mutwalis one-ninth share	6,666 11 0	6,666 11 0	6,666 11 0
Committees three-ninths share	19,200 0 0	19,933 5 4	20,000 0 0
Imambara Establishment	9,669 5 0	9,669 5 0	9,669 5 0
Charges on account of Haj Committee ..	2,918 8 3	...	....
Imambara Building Repairing Fund ..	...	...	49 6 0
Total .	1,02,801 0 5	1,01,820 11 2	94,686 6 11

State Prisoner Amarendra Nath Basu.

***CXXI. Dr. J. M. DAS GUPTA:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state—

(*i*) since when the State prisoner Amarendra Nath Basu has been interned at his father's house at 27, Mohendra Bose Lane; and

(*ii*) what allowances have been given to him up to the present time?

(*b*) Is it a fact that his father is no longer an earning member and that the whole family has to depend on the earnings of Amarendra Nath's younger brother?

(*c*) Has Amarendra Nath made any representation to the Government regarding his allowance?

(*d*) If so, will the Hon'ble Member be pleased to state—

(*i*) his reasons for asking for an increment; and

(*ii*) which of those reasons the Government consider unreasonable, stating the reason?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Sir Hugh Stephenson): (*a*) (*i*) Since July, 1925.

(*a*) (*ii*), (*b*), (*c*) and (*d*) Government are not prepared to publish this information.

Agricultural Propaganda Work.

*CXXII. **Babu MANMATHA NATH ROY:** (*a*) Will the Hon'ble Member in charge of the Department of Agriculture and Industries be pleased to state the manner in which the results obtained in the Department of Agriculture are communicated to the actual raiyats of the field?

(*b*) Will the Hon'ble Member be pleased to state specific instances (mentioning districts and localities) in which propaganda work has been carried on?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) Results obtained by the Agriculture Department are brought to the notice of the actual cultivators -

(*i*) with the assistance of District Officers and their subordinate officers;

(*ii*) through the agency of District Agricultural Officers and Demonstrators who conduct propaganda work in the mufassal;

(*iii*) through the agency of Agricultural Associations and Cooperative Societies;

(*iv*) by the free distribution of leaflets and bulletins; and

(*v*) in exhibitions, cattle shows, etc.

(*b*) A statement showing the districts and localities in which propaganda work through the medium of lectures has been undertaken is placed on the Library table.

Constitution of Local Boards in the Dacca District.

*CXXIII. **Mr. KIRAN SANKAR ROY:** Will the Hon'ble Member in charge of the Department of Local Self-Government be pleased to state what are the causes of the delay in forming the Local Boards of Manikganj, Munshiganj and Narayanganj in the district of Dacca?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: The delay is due to a civil suit filed to set aside the election in the Kaliganj Thana of the Sadar Subdivision; that suit is at

present under appeal and until the appeal is decided the Sadar Local Board cannot be reconstituted. As all the new Local Boards have to be formed simultaneously in order to enable a new District Board to be formed, there is unavoidable delay in reconstituting the three Local Boards mentioned in the question.

Transfer of certain détenus to prisons outside Bengal.

*CXXIV. **Babu NALINIRANJAN BARKER:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state whether it is a fact that—

(*i*) Srijuts Pratul Chandra Ganguli, Monoranjan Gupta and Purna Chandra Das, State prisoners, have been transferred to the Trichinopoly Jail (Madras);

(*ii*) Srijuts Bhupati Mazumdar, Rabindra Mohan Sen Gupta and Amrita Lal Sarker to the Cannanore Jail (Madras);

(*iii*) Détenus Srijuts Ashutosh Kahili and Jitesh Chandra Lahiri to the Damoh Jail (Central Provinces); and

(*iv*) Détenus Srijuts Panchanan Chakravarty and Pratul Chandra Bhattacharji to Betul Jail (Central Provinces)?

(*b*) Is it a fact that these gentlemen have been confined in cells meant for worst type of criminals?

(*c*) Is it a fact that they are not allowed to leave the court-yards of their cells even in day time?

(*d*) Is it a fact that their persons and properties are daily searched?

(*e*) Is it a fact that they have complained that these searches are carried out in a humiliating manner?

(*f*) Is it a fact that they have unanimously protested against these searches?

The Hon'ble Sir HUGH STEPHENSON: (*a*) Yes.

(*b*) No. The nature of the accommodation varies according to local circumstances. In Madras jails ordinary cellular accommodation is provided and in the Central Provinces wards with garden enclosures.

(*c*) The facilities for exercise vary according to local conditions in different jails. In one jail exercise has to be taken inside the court-yard, but this is self-contained and spacious. In every case, facilities for open air exercise are given.

(*d*) Such search is prescribed by rule in Bengal, and the rule is being followed in other provinces. In some cases, relaxation of the rule has been permitted, at the discretion of the Superintendent of the Jail.

(e) Complaints have been received that the searches have in some cases been more thorough than is usual in Bengal jails.

(f) Protests have been received from some but not from all.

"Prabasi", non-inclusion of, in school periodicals.

*CXXV. **Rai HARENDRANATH CHAUDHURI:** (a) Will the Hon'ble Member in charge of the Department of Education be pleased to state—

(i) whether it is a fact that a circular letter has been issued by the Inspector of Schools, Burdwan Division, forbidding the use of the monthly magazine *Prabasi* in the common rooms of the Government and aided schools; and

(ii) whether such circulars have been issued by the Inspectors of other divisions?

(b) If the answer to (a) (i) is in the affirmative, will the Hon'ble Member be pleased to state—

(i) why such a circular has been issued;

(ii) whether the Inspector of Schools, Burdwan Division, was advised or authorised by any higher authority to issue such a circular; and

(iii) from what authority such direction originally emanated?

(c) Are the Government prepared to advise the Inspector or Inspectors of Schools to withdraw such circulars.

The Hon'ble Mr. J. DONALD: (a) and (b). The magazine is more suited to colleges and adult readers than to school boys and in some divisions, including Burdwan, Inspectors with the consent of the department have circularised schools discouraging its inclusion in the school periodicals. It is not forbidden, and school committees retain discretion in the matter.

(c) In the circumstances stated no action is necessary.

Grand Trunk Road over Chandmari Bridge.

*CXXVI. **Babu KHAGENDRA NATH CANGULY:** (a) With reference to the reply given to my starred question No. XVIII of the 16th February, 1926, will the Hon'ble Member in charge of the Department of Public Works be pleased to state whether Government are considering the desirability of issuing instructions so that the repairs may be carried out in a manner that will prove more lasting than at present?

(*b*) With reference to the reply to clause (*c*) will the Hon'ble Member be pleased to state—

(*i*) whether he has got any written report;

(*ii*) who reported that the road was in good order; and

(*iii*) when the report was received?

MEMBER in charge of PUBLIC WORKS DEPARTMENT (the Hon'ble Mr. J. Donald): (*a*) No; the question of easing the steep slopes of the approaches, as a first step towards their improvement, is under consideration.

(*b*) (*i*) Yes.

(*ii*) The Executive Engineer in charge.

(*iii*) 2nd February, 1926.

Unstarred Questions

(answers to which were laid on the table).

Magra Hât Canal.

90. Babu HEM CHANDRA NASKER: (*a*) Is the Hon'ble Member in charge of the Department of Irrigation aware of the present condition of the canal which runs by Magra Hât station on the Southern Section of the Eastern Bengal Railway?

(*b*) Is he aware of the importance of this canal?

(*c*) Is he aware that small country boats such as "dongas" cannot pass through this canal at this time?

(*d*) Do the Government propose to take measures for its dredging or reclamation at an early date?

(*e*) If the answer to (*d*) is in the negative, are the Government proposing constructing a road by the side of the said canal for the convenience of the people?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur of Nadia): (*a*) and (*b*) Yes.

(*c*) It appears there is difficulty in "dongas" passing through the channels during neap tides at this time of the year.

(*d*) The re-excavation of the Joynagar khal will be taken up at once and inquiries will be made in regard to the condition of the other channels.

(*e*) There are no such proposals before Government.

Allowances and other comforts of Bengali State prisoners in outside Jails.

91. Babu NALINIRANJAN SARKER: (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state whether it is a fact that under the rules sent by the Bengal Government, the diet allowance of the Bengali State prisoners now located in the Madras and Central Provinces jails have been fixed on a scale lower than what is granted to the State prisoners and détenus in the Bengal and Burma jails?

(*b*) Is it a fact that State prisoners now in Madras jails have submitted memorials to the Inspector-General of Prisons, Madras, protesting against confinement in cells and a meagre scale of diet?

(*c*) Is it a fact that their representation has been sent to the Inspector-General of Prisons, Bengal, for necessary instructions?

(*d*) If the answer to clause (*c*) is in the affirmative, how is that fact consistent with the statement made by the Hon'ble Member in charge in the Bengal Legislative Council on the 11th December, 1925, that once a political prisoner is transferred to another province, the question of his allowance and accommodation rests absolutely with the local Government of that province?

(*e*) Is it a fact that the Bengali State prisoners now in the Madras jails were allowed small comforts within one rupee each month while in the Bengal jails?

(*f*) Is it a fact that this concession has been stopped as soon as they were transferred to the Madras jails?

(*g*) If so, what are the reasons for the stoppage?

(*h*) Is it a fact that Badminton rackets have been supplied to the Bengali State prisoners now in the Madras jails, but no shuttlecocks have been given on the ground that the Bengal Government has refused to pay for shuttlecocks?

The Hon'ble Sir HUGH STEPHENSON: (*a*) No. There are necessarily minor differences due to local conditions, but the scales of diet are substantially the same.

(*b*) Yes.

(*c*) The memorials were forwarded to the Inspector-General of Prisons, Bengal, for remarks and return, not for instructions.

(*d*) and (*g*) Does not arise.

(*e*) Minor concessions were allowed up to Rs. 3 a month for each prisoner.

(*f*) and (*h*) No.

Principal, Calcutta Medical College.

92. Babu SURENDRA NATH RAY: Will the Hon'ble Member in charge of the Department of Local Self-Government (Medical) be pleased to state—

(*i*) how many officers now perform the duties which used to be done by Dr. Calvert and his predecessors in office as Principal of the Calcutta Medical College; and

(*ii*) what is the pay drawn by each of these officers?

MEMBER in charge DEPARTMENT of LOCAL SELF-GOVERNMENT [MEDICAL] (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur of Nadia): (*i*) The duties of the Principal continue to be discharged by one officer: the only difference is that since Col. Barnardo went on leave the office of Principal has been held not by the Professor of Medicine but by the Professor of Hygiene in the Tropical School, *i.e.*, Col. Fry.

(*ii*) Col. Fry's pay as Professor of Hygiene is Rs. 2,100 with a compensatory allowance of Rs. 500. The allowance which he will draw for carrying on the duties of Principal is under consideration of Government.

Typists and Copyists of Courts.

93. Rai HARENDRANATH CHAUDHURI: (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to lay on the table a statement showing the number of typists and copyists employed at present in the Civil Courts in the different districts?

(*b*) What was the average earning of—

(*i*) a copyist, and

(*ii*) a typist,

so employed in 1921?

(*c*) What is their average earning at present?

(*d*) What annual increase in revenue is derived in every district from the increase value of folios used in copying purposes?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Sir Hugh Stephenson): (*a*), (*b*) and (*c*) A statement is laid on the table.

(*d*) The required information is not available, district by district, but figures for the whole province are shown in the statement referred to above.

Statement referred to in the reply to unstarred question No. 93, showing the number of Copyists and Typists employed at present in the Civil Courts of Bengal and their average earning in 1921 and 1925.

District.	No. employed at present of		Average monthly earning of Copyists and Typists in				Total revenue from copying fees.		
			1921.		1925.				
	Copyists.	Typists.	Copyists.	Typists.	Copyists.	Typists.		1923.	1924.
			Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.		Rs.	Rs.
[illegible]	22	16	38 1 0	41 10 0	34 8 0	57 8 0	Civil	6,01,885	7,31,796
[illegible]	23	4	39 10 0	48 1 0	34 0 0	56 0 0	Criminal	2,00,309	2,43,413
[illegible]	16	3	38 0 0	45 11 0	34 10 0	50 5 0			
[illegible]	21	12	42 4 0	55 15 0	33 5 0	63 5 0			
[illegible]	12	7	37 0 0	55 0 0	30 5 0	49 8 0			
[illegible]	41	28	30 5 2	48 1 2	32 9 0	53 11 0			
[illegible]	9	7	36 6 0	60 0 0	36 0 0	67 0 0			
[illegible]	22	12	31 11 0	45 8 0	30 15 0	34 12 6			
[illegible]	22	18	35 4 0	48 4 0	32 15 0	42 9 0			
[illegible]	15	14	35 0 0	39 0 0	26 9 0	38 11 0			
[illegible]	29	8	32 2 0	61 8 0	35 13 0	58 3 0			
[illegible]	41	12	37 2 0	60 5 0	37 4 0	58 5 0			
[illegible]	14	4	30 12 0	43 2 5	36 14 0	61 11 6			
[illegible]	70	22	33 0 0	48 0 0	32 0 0	71 0 0			
[illegible]	12	14	32 10 0	46 2 0	32 0 0	48 0 0			
[illegible]	32	11	29 7 0	49 14 0	35 9 0	66 10 0			
Purnea and Bogra	28	10	33 10 0	44 7 0	25 9 0	48 3 0			
[illegible]	20	7	32 6 0	45 10 0	33 12 0	52 8 0			
[illegible]	27	10	33 7 3	50 1 3	30 4 0	55 10 0			
[illegible]	27	16	34 9 0	45 7 0	29 0 0	51 0 0			
[illegible]	36	22	30 4 0	50 8 0	42 12 0	65 1 0			

Discontinuance of the supply of "Calcutta Gazette" to certain educational officers.

94. Maulvi ZANNOOR ANMED: Has the attention of the Hon'ble Member in charge of the Department of Education been drawn to the inconvenience of the District Inspectors of Schools and the officers under them on account of the stoppage of the supply of copies of the *Calcutta Gazette* to them?

The Hon'ble Mr. J. DONALD: The supply was stopped in 1919, and no general complaint of the inconvenience has been received.

Provident Fund for teachers of aided schools.

95. Babu HEM CHANDRA NASKER: (*a*) Will the Hon'ble Member in charge of the Department of Education be pleased to state the reason why the Government has not yet contributed anything to the provident fund for teachers in non-Government aided high schools although Rs. 25,000 was sanctioned by the Council in the Supplementary Budget for the purpose?

(*b*) Will the Hon'ble Member be pleased to state whether the Government are considering the desirability of contributing to the said provident fund one anna per rupee of the teachers' salary?

(*c*) Will the Hon'ble Member be pleased to state whether the Government are willing to make it a condition of grants-in-aid that the managing committees of schools must contribute to the teachers' provident fund one anna per rupee of the teachers' salary?

The Hon'ble Mr. J. DONALD: (*a*) The framing of the rules for the fund has presented considerable difficulties, and the delay has been unavoidable owing to the technicalities involved.

(*b*) No.

(*c*) Government's draft proposals do not include this specific proposal.

Tram-hire allowance to Press employees.

96. Mr. K. C. RAY CHAUDHURI: (*a*) Is the Hon'ble Member in charge of the Finance Department aware that the tram-fare allowance of the Bengal Government Press employees has been suddenly stopped?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state the reasons why it has been so stopped?

(*c*) Are the Government contemplating the restoration of the allowance at an early date?

(*d*) If so, what is the likely date on and from which the restoration will take effect?

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. J. Donald): (*a*) to (*d*) The hon'ble member is referred to answers given to (*g*) and (*i*) of starred question No. XXXIX asked by Babu Naliniranjan Sarkar, on the 27th August, 1924.

Orphanganj Market, Superintendent of.

97. Maulvi ZANNOOR AHMED: (*a*) Will the Hon'ble Member in charge of the Department of Revenue be pleased to state whether any Muhammadan Sub-Deputy Collector has been appointed to the post of the Superintendent of Orphanganj Market, Kidderpore (24-Parganas) since the appointment was thrown open to the Sub-Deputy Collectors?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Member be pleased to state the reasons therefor?

(*c*) Are the Government considering the desirability of appointing a suitable Muhammadan Sub-Deputy Collector to the post?

MEMBER in charge of DEPARTMENT of REVENUE (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur of Nadia): (*a*) No Muhammadan has been appointed to the post since it was thrown open to Sub-Deputy Collectors.

(*b*) The appointment to this post is made by the Board of Revenue, which selects the most suitable officer available when the vacancy occurs.

(*c*) No.

Jails, contract for supply of articles to.

98. Maulvi ZANNOOR AHMED: (*a*) Will the Hon'ble Member in charge of the Department of Revenue (Jails) be pleased to state the names and addresses of the contractors who supplied the following articles to the Bengal Jails during the year 1925:—

(*i*) yarns,

(*ii*) mosquito net cloth,

(*iii*) wools for Dacca Central Jail,

(*iv*) leather belts;

(*v*) gunny cloth,

(*vi*) khaki drill cloth, and

(*vii*) red saloo cloth?

(*b*) Were these contracts made by the Superintendent of Jails or by the Inspector-General of Prisons?

(*c*) Were tenders called for in all cases?

(*d*) If so, what is the date of the publication of the tenders?

(*e*) If no tenders were called for, what are the reasons therefor?

(*f*) Is it a fact that contractors are ordered to be paid in full by Inspector-General's office even when the articles supplied are found to be less?

(*g*) Is it a fact that contracts formerly were made by the Superintendent of Jails and the Inspector-General was then the Controlling Officer?

(*h*) Is it a fact that the present system of placing contracts from the Inspector-General's office has been found to be expensive?

(*i*) What was the practice in Colonel Buchanan's time?

MEMBER in charge of DEPARTMENT of REVENUE [JAILS] (the Hon'ble Sir Hugh Stephenson): (*a*) (*i*) The Bengal Luxmi Cotton Mills, Ltd., 28, Pollock Street, Calcutta.

(*ii*) Babu Narendra Nath Bose, 4, Radhanath Mullick's Lane, Calcutta.

(*iii*) Messrs. H. K. De & Co., 13, Kotwali Road, Dacca.

(*iv*) Teeka Ram, Anwarganj, Cawnpore, and Messrs. Sircar Bros., 66, Russa Road North, Bhowanipore.

(*v*) (*a*) Purchase arranged by Superintendent, Presidency Jail, Calcutta, and some jails locally.

(*b*) Messrs. Doongersi Jiwandas, 198, Cross Street, Calcutta; Messrs. H. K. De & Co. (Calcutta Branch), 33A/1, Doctor's Lane, Calcutta; Messrs. Sircar Bros., 66, Russa Road North, Bhowanipore.

(*vi*) The Buckingham & Carnatic Company, Ltd., Madras.

(*vii*) Messrs. Doongersi Jiwandas, of Cawnpore—Branch 198, Cross Street, Calcutta.

(*b*) By Inspector-General of Prisons, with the exception of item (*v*) (*a*).

(*c*) Quotations and samples were invited from recognised contractors and Controller of Purchase, Calcutta.

(*d*) The question does not arise.

(*e*) The practice followed is convenient and expeditious.

(*f*) and (*h*) No.

(*g*) Yes, up till the year 1918, when the Munitions Board took over the arrangement of contracts except for food-grains and coal. Since the abolition of the Munitions Board the Inspector-General has controlled contracts.

(*i*) The reply to (*g*) may be seen. Sir Walter Buchanan retired in March, 1919.

Privilege of co-option extended to municipalities.

99. Maulvi ABDUR RASCHID KHAN: Will the Hon'ble Member in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing -

(*i*) the number of municipalities to which the privilege of co-option has already been allowed; and

(*ii*) the number of municipalities to which the Government contemplate allowing such privilege during 1926 and 1927?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: (*i*) Three municipalities have enjoyed the privilege of co-option.

(*ii*) Government have decided not to extend the privilege to other municipalities.

Mr. P. N. CUHA: Will the Hon'ble Member be pleased to state when this decision was arrived at; was it arrived at by the Government as it is constituted now, or by the Government as it was constituted when the Ministers were in office?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: Whether the Ministers were in office or whether it has been decided by the present Government does not matter much; but it is the decision of Government.

Mr. P. N. CUHA: That is the point on which I want an answer. Will the Hon'ble Member be pleased to state when the decision was arrived at?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: I have nothing further to add. I want notice of this.

Kootubdia "Khas Mahal" land.

100. Maulvi AMANAT KHAN: Will the Hon'ble Member in charge of the Department of Revenue be pleased to lay on the table a statement showing—

(*i*) the total area of Kootubdia *khas mahal* land, in Chittagong;

(*ii*) the total cost of embankment incurred by the Government;

(*iii*) recurring expenditure annually incurred for the maintenance of embankment;

(*iv*) the total annual income from the tenants;

(*v*) the total expenditure annually incurred by way of pay of *khas mahal* officers;

(*vi*) the area under cultivation; and

(*vii*) the areas which are fallows or waste land?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: (*i*) 19,370 acres.

(*ii*) The embankment is old and the figures of total cost are not available.

(*iii*) The average expenditure in the last three years has been Rs. 9,000.

(*iv*) Rs. 42,000.

(*v*) Rs. 4,956 at present rates.

(*vi*) and (*vii*) The areas are estimated at about 18,840 acres under cultivation and 530 acres waste or fallow.

Rajar Khal, question of a sluice gate at its junction with Bidyadhari river.

101. Babu HEM CHANDRA NASKER: (*a*) Is the Hon'ble Member in charge of the Department of Irrigation aware that, for the purpose of constructing a sluice gate at the mouth of the Rajar khal, in the east of the village Tonlilaha, at its joining with the Bidyadhari river, in the police-station Bhangore, in the sadar subdivision, of the district of the 24-Parganas, the people of the locality deposited in the Collectorate of the district a sum of Rs. 1,000 as contribution?

(*b*) If so, will the Hon'ble Member be pleased to state whether the gate will be constructed?

(*c*) If so, when will the work begin?

(*d*) If not, are the Government prepared to refund the money deposited?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: (*a*) Yes.

(*b*) and (*c*) Inquiry shows that it would not be feasible to drain the area into the Bidyadhari on account of the silted condition of the river and therefore the proposal should be dropped.

(*d*) Yes: an application should be made to the Collector.

Statement made by Mr. J. M. Sen Gupta.

Mr. J. M. SEN GUPTA: May I have your leave, Sir, to make a statement on behalf of the party that I have the honour to lead in this House?

Mr. PRESIDENT: May I inquire under what section of the Rules and Standing Orders you want to make a statement?

Mr. J. M. SEN GUPTA: Sir, having regard to the attitude that our party takes with regard to the whole of the business to be transacted during the remainder of the life-time of this Council, I thought you would give me facilities to make this statement as a special case.

Mr. PRESIDENT: I understand that you want to offer an explanation on behalf of your party. In that case, I think the House will permit Mr. Sen Gupta to make a short statement. I hope it will be short and will not introduce much controversial matter.

Mr. J. M. SEN GUPTA: I thank you for the permission. I shall not be more than six or seven minutes.

You are perhaps aware, Sir, that in pursuance of the policy laid down by the Indian National Congress at Cawnpore and reconsidered and reiterated by the All-India Congress Committee at Delhi, all members of this Council belonging to the Swarajya Party will withdraw from the House to-day.

Two years ago, we came into this Council with the intention of either putting an end to the pretence of Government that they carry on the administration with the consent of the people, or so mending the system of Government as to be in accordance with the declared wishes of the people of India as expressed by the Indian National Congress. Although we have not succeeded in accomplishing the latter object, we have certainly succeeded in destroying Dyarchy. To-day no one can doubt that the Government is carried on by the agents of the Indian Civil Service without even a semblance of the consent of the people.

Let no one think for a moment that we regret the step that we have taken. On the contrary, we rejoice that our policy is justified, and is the only one that we could follow in the circumstances that the people of this country were placed in. Our policy is based on the principle that tyranny, open and frank, is sooner destroyed than tyranny clothed with hypocrisy which makes people forget that there is tyranny at all.

But apart from tearing off the mask from the face of the Bureaucracy and showing the vicious character of this system of Government in its nakedness, we have tried to voice the demands of the country and bring into prominence the legitimate but unrealised political rights of the people. But what has been the attitude of the Government towards these demands? We asked for the repeal of repressive laws—the reply of the Government was the promulgation of the Ordinance. We asked for the release of political prisoners—the reply was again arrests and detention of two members of this Council and nearly 200 young men of Bengal without charge and without trial.

Even a moderate resolution brought forward by the Independent members of this House, supporting transfer of more subjects from the Reserved to the Transferred Department, although carried in this House with overwhelming majority, was totally ignored by the Government.

Two months before his death, that far-sighted statesman, Deshbandhu Chittaranjan Das, than whom India never had a greater or more stubborn fighter, made that noble gesture of peace at Faridpur only to be spurned by the powers that be. But, perhaps, it is just as well that the Government refuses to listen to our reasonable demands. Perhaps it is necessary for the speedy attainment of the freedom of our country that the Government should proceed in its mad career of imprisonment and detention of public men and workers without charge and without trial, and attempt to tighten its grip on the nation more relentlessly and ruthlessly, so that the nation may feel evermore the absolute necessity of immediately putting an end to the system of Government under which such things are possible.

We go out to the country to seek her approval of the policy that we have so far followed in this Council. We go out to the country to seek her mandate on our future policy. We go out to the country to gather strength and inspiration. We go out to the country with the full faith that our countrymen will not only approve of the policy that we have so far followed in this Council, but will also so strengthen our hands that the great disadvantage of being in a minority will be a thing of the past.

I do not want to peep into the future or to anticipate coming events. But even if on our coming back in larger numbers and with added strength in 1927, we find the Bureaucracy still unrelenting, still obdurate, still unresponsive to national desires, then, Sir, I have no doubt that the nation will not hesitate to employ other and more effective, though quite legitimate weapons, as the last resort of a disarmed, down-trodden and oppressed people.

I beg leave of you now, Sir, on behalf of myself and the members of the party, to withdraw from the House.

[Here the members of the Swarajya Party withdrew from the House.]

The Hon'ble President's ruling regarding moving of amendments standing in the names of absent members.

Mr. P. N. CUHA: May I rise to a point of order. There are several amendments in the name of those members who have just walked out. Is it your wish that no one in the Council will be able to move any of these amendments, and that they will fall through simply because of the absence of the member? The circumstances are peculiar. I want to know your pleasure

Mr. PRESIDENT: You have a ruling on this point by Sir Evan Cotton. He did not allow anybody to move the amendments standing in the name of others, but to help you in the discussion of the Budget, I propose to allow members to move any of these amendments in his own behalf, i.e., I shall admit such amendments without notice.

The Budget of the Government of Bengal for 1926-27.

Demands for Grants.

5—Land Revenue.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 39,84,000 be granted for expenditure under the head "5—Land Revenue" (page 23, Civil Estimate).

In moving the demand of Rs. 39,84,000 for "5—Land Revenue", I beg to inform the Council that since the estimate for Survey and Settlement was framed, it has again been carefully examined by the Director of Land Records and by Government specially in view of the criticism made by some members of this House during the general

discussion on the Budget when it was mentioned that a cut was made by the Council last year but was restored by the certificate of His Excellency the Governor, and yet the revised estimate shows that a large saving has in fact been effected. This revised estimate is calculated to be above Rs. 19,59,000. Now, the estimates placed before the Council are based on calculations of the amounts required for carrying out work which is necessary; the present estimate represents the cost of carrying on the major settlements according to the settled programme and the minor operations that periodically become necessary. The fact that the Director of Land Records has now suggested a reduction does not mean that any of the work for which provision was made is not necessary. Sir, I must hold that this is necessary and will have to be done later; but the Director of Land Records thinks that he cannot carry out with his present staff all the works for which the estimate provides, and, therefore, some of it will have to wait. This is rather unfortunate, as it means that work long overdue, such as the temporary settlements in Mymensingh district, will again have to be postponed, but Government recognise the desirability of not making temporary additions to the Settlement staff, and, therefore, propose to accept a reduction of Rs. 2,00,000 in the demand. Of this amount about Rs. 1,45,000 will be cut from Major, and Rs. 55,000 from Minor Settlement Operations, but until the figures have been further examined Government would prefer to accept a general cut from the head "5C—Survey and Settlement" and not from any minor head or unit. We shall, therefore, oppose motions for reduction of particular items, but will accept a modified reduction of Rs. 2,00,000 on one of the motions for reducing the demand of Rs. 23,09,000 under the head "5C—Survey and Settlement".

The following motions were called but not moved:—

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 31,800 under the head '5A—Charges of Administration—Land Acquisition Establishment Pay of Officers' (page 24, Civil Estimate) be reduced by Rs. 7,300."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 22,000 under the head '5A—Charges of Administration—Land Acquisition Establishment—Travelling Allowance' (page 24, Civil Estimate) be reduced by Rs. 6,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 18,000 under the head '5A Land Acquisition Establishment—Law Charges' (page 24, Civil Estimate) be reduced by Rs. 1,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 5,450 under the head '5A—Land Acquisition Establishment—Office Expenses and Miscellaneous' (page 24, Civil Estimate) be reduced by Rs. 500."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 38,000 under the head '5A—Land Acquisition Establishment' (page 24, Civil Estimate) be reduced by Rs. 20,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 44,000 under the head '5A—Certificate Establishment Pay of Clerks' (page 24, Civil Estimate) be reduced by Rs. 3,000."

Babu AMULYA DHONE ADDY: "I beg to move that the demand of Rs. 44,000 under the head '5A—Certificate Establishment—Temporary Establishment' (page 24, Civil Estimate) be reduced by Rs. 16,000."

It will appear from page 24 of the Civil Budget Estimate that the actual for the year 1924-25 was Rs. 22,192 while the Revised Estimate for the current year is Rs. 28,000. Now it has been proposed to increase it to Rs. 44,000. It further appears that in the year 1920-21 it was only Rs. 4,400; in 1921-22 the Revised Estimate was Rs. 12,000. So we see that it has been gradually going up till as it appears from this year's Budget Estimate it has gone up to Rs. 44,000. I admit, Sir, that this money will be recovered but at the same time I must be allowed to say that the poor raiyats are to pay for it. Therefore, we are entitled to have some explanation as to why this amount has been gradually going up from year to year. From Rs. 4,400 in 1920-21 it has gone up to Rs. 44,000 as it appears from this year's Budget Estimate. I take this opportunity of drawing your attention to one fact, Sir, when the three Taxations Bills were under discussion we were assured by the Hon'ble Member in charge that instead of a deficit we should have a surplus, our borrowing capacity would be better and with this money we should be in a position to devote heavy sums for the improvement of sanitation in the mufussal and for the development of industries and especially for the encouragement of education. We also find that we have already been relieved though for a short period by the Government of India of the payment of Rs. 63 lakhs a year. Notwithstanding these facts we find that in the next Budget there will be a deficit of Rs. 32 lakhs and it appears to be due to several causes—to the increase of salaries of officers, increases in travelling allowance and other contingencies and for the erection of buildings for the police and such other items for the maintenance of law and order. I admit, Sir, that provision has been made for primary education and for the improvement of sanitation but the demand put forward under these heads does not appear to me to be an adequate one. Therefore, I move my amendment for an explanation and if the explanation appears to be satisfactory I shall be very glad to withdraw the amendment.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: The mover does not seem to press his motion but wants to have some information. Well, Sir, the expenditure on temporary

establishment for certificate work is only increased when the number of certificates is such that the employment of additional clerks becomes necessary. We see from the Budget Estimate that there is a slight increase in the demand over last year's Revised Estimate but it is controlled by rules in the Certificate Manual which prescribes the number of certificates to be dealt with by each clerk. So each clerk must do some work which has already been provided; he must follow the rule. It is anticipated that in the coming year more money will be required because several new estates have come under the Court of Wards, and also because certificate procedure under section 158A of the Bengal Tenancy Act has been extended to some other estates. It is, therefore, impossible to decrease the demand.

Babu AMULYA DHONE ADDY: I beg leave to withdraw my motion.

The motion was then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 1,380 under the head '5A—Certificate Establishment—Travelling Allowance' (page 24, Civil Estimate) be reduced by Rs. 1,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 2,000 under the head '5A—Certificate Establishment—Contingencies' (page 24, Civil Estimate) be reduced by Rs. 1,000."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 60,325 under the head '5A—Charges of Administration Pay of Officers' (page 23, Civil Estimate) be reduced by Rs. 30,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 4,430 under the head '5A—Charges of Administration—Partition Establishment—Travelling Allowance' (page 25, Civil Estimate) be reduced by Rs. 1,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 2,116 under the head '5A—Partition Establishment—Refunds' (page 25, Civil Estimate) be reduced by Rs. 1,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 40,700 under the head '5A—Record-room Establishment' (page 25, Civil Estimate) be reduced by Rs. 5,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 26,690 under the heads '5A—Wards' Estates Establishment— Pay of Clerks' (page 25, Civil Estimate) be reduced by Rs. 2,500."

SHAH SYED EMDADUL HAQ: " That the demand of Rs. 2,652 under the head ' 5A—Wards' Estates Establishment—Pay of Servants ' (page 25, Civil Estimate) be reduced by Rs. 500."

SHAH SYED EMDADUL HAQ: " That the demand of Rs. 32,000 under the head ' 5A—Wards' Estates Establishment ' (page 25, Civil Estimate) be reduced by Rs. 3,000."

SHAH SYED EMDADUL HAQ: " That the demand of Rs. 70,000 under the head ' 5A—Kanungo Establishment—Pay of Executive Subordinate ' (page 26, Civil Estimate) be reduced by Rs. 4,000."

SHAH SYED EMDADUL HAQ: " That the demand of Rs. 10,000 under the head ' 5A—Kanungo Establishment—Pay of Servants ' (page 26, Civil Estimate) be reduced by Rs. 700."

Maulvi ASIMUDDIN AHAMAD: " That the demand of Rs. 1,05,000 under the head ' 5A—Kanungo Establishment ' (page 26, Civil Estimate) be refused."

SHAH SYED EMDADUL HAQ: " That the demand of Rs. 1,05,000 under the head ' 5A—Kanungo Establishment ' (page 26, Civil Estimate) be reduced by Rs. 6,000."

Maulvi ASIMUDDIN AHAMAD: " That the demand of Rs. 5,20,602 under the head ' 5A—Charges of Administration—Pay of Establishment ' (page 23, Civil Estimate) be reduced by Rs. 3,00,000."

SHAH SYED EMDADUL HAQ: " That the demand of Rs. 5,20,602 under the head ' 5A—Charges of Administration—Pay of Establishment ' (page 23, Civil Estimate) be reduced by Rs. 1,20,602."

Maulvi ASIMUDDIN AHAMAD: " That the demand of Rs. 56,019 under the head ' 5A—Charges of Administration—Allowances, Honoraria, etc.,' (page 23, Civil Estimate) be refused."

SHAH SYED EMDADUL HAQ: " That the demand of Rs. 56,019 under the head ' 5A—Charges of Administration—Allowances, Honoraria, etc.,' (page 23, Civil Estimate) be reduced by Rs. 16,019."

Babu TARAKNATH MUKERJEA: " That the demand of Rs. 56,019 under the head ' 5A.—Land Revenue—Allowances, Honoraria, etc., ' (page 23, Civil Estimate) be reduced by Rs. 14,019."

Maulvi ASIMUDDIN AHAMAD: " That the demand of Rs. 1,00,996 under the head ' 5A—Charges of Administration—Contingencies ' (page 23, Civil Estimate) be refused."

Maulvi ASIMUDDIH AHAMAD: "That the demand of Rs. 458 for rounding under the head '5A—Charges of Administration (page 23, Civil Estimate) be refused."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 2,53,000 under the head '5A—Charges of Administration' (page 23, Civil Estimate) be refused."

Maulvi EKRAMUL HUQ: "That the demand of Rs. 2,53,000 under the head '5A—Charges of Administration' (page 23, Civil Estimate) be reduced by Rs. 1,66,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 2,53,000 under the head '5A—Charges of Administration' (page 23, Civil Estimate) be reduced by Rs. 23,000."

Maulvi ZANNOOR AHMED: "That the demand of Rs. 47,950 under the head '5B—Collection of Revenue—Pay of Deputy and Sub-Deputy Collectors' (page 27, Civil Estimate) be reduced by Rs. 9,950."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 47,950 under the head '5B—Collection of Revenue—Pay of Officers' (page 27, Civil Estimate) be reduced by Rs. 7,950."

Maulvi ZANNOOR AHMED: "That the demand of Rs. 34,836 under the head '5B—Collection of Revenue Temporary Establishment' (page 27, Civil Estimate) be reduced by Rs. 6,836."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 34,836 under the head '5B Collection of Revenue—Temporary Establishment' (page 27, Civil Estimate) be reduced by Rs. 6,000."

Maulvi ZANNOOR AHMED and SHAH SYED EMDADUL HAQ: "That the demand of Rs. 39,800 under the head '5B—Collection of Revenue—Travelling Allowance' (page 27, Civil Estimate) be reduced by Rs. 3,800."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 8,700 under the head '5B—Collection of Revenue—House Rent and other Allowances' (page 27, Civil Estimate) be reduced by Rs. 1,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 5,910 under the head '5B—Collection of Revenue—Rents, Rates and Taxes' (page 27, Civil Estimate) be reduced by Rs. 2,500."

Babu AMULYA DHONE ADDY: "I beg to move that the demand of Rs. 82,491 under the head '5B—Collection of Revenue—Contingencies—Office Expenses and Miscellaneous' be reduced by Rs. 16,491."

The estimate for this item this year is Rs. 82,491 and in the revised estimate of the year 1925-26 the amount of expenditure under this head is Rs. 66,000. Here we find that the Government has saddled the public with an additional expenditure of Rs. 16,491. The difference between the estimate of expenditure in this year's Budget, *i.e.*, Rs. 82,491 and the actuals in the year 1924-25, *i.e.*, Rs. 58,128 is Rs. 24,363. The total amount of expenditure for the collection of Revenue in this year's Budget has gone up to Rs. 8,33,000 from the actuals under that head in the year 1924-25, *i.e.*, Rs. 4,83,497 the difference being an exorbitant amount of Rs. 3,49,503. Thus, if you take the earlier figures, you will find a systematic attempt on the part of the Government to increase their expenditure from year to year. Under this specific item, only office expenses and miscellaneous I have proposed a small reduction of Rs. 16,491 which I think the Government will be pleased to accept. We want retrenchment—the Government also wants it. We want to meet the deficit, and, moreover we want a surplus so that we may have money for expenditure in the Nation Building Departments. We should therefore meet that expenditure by the reasonable curtailment of expenditure from other items and not by any more taxation. On the contrary we have already reached the bed-rock limit of taxation and we should try our best to reduce it.

With these words, I beg to commend my amendment for the acceptance of the House.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: This provision is based on the estimates of the cost of repairing tahsil offices, providing quarters and replacing boundary pillars. This item is met from the 9½ per cent., which is provided for the management of Government Estates and, therefore, this motion cannot be accepted.

Babu AMULYA DHONE ADDY: I beg leave of the House to withdraw my motion.

The motion of Babu Amulya Dhone Addy was then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

Maulvi ZANNOOR AHMED: "That the demand of Rs. 82,491 under the head '5B—Collection of Revenue—Office Expenses and Miscellaneous' (page 27, Civil Estimate) be reduced by Rs. 15,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 8,33,000 under the head '5B—Collection of Revenue' (page 27, Civil Estimate) be reduced by Rs. 36,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 2,32,000 under the head '5B—Outlay on Improvements' (page 28, Civil Estimate) be reduced by Rs. 1,50,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 2,04,000 under the head '5B—Colonization of Sundarbunds' (page 28, Civil Estimate) be reduced by Rs. 60,000."

Babu TARAKNATH MUKERJEA: "That the demand of Rs. 58,792 under the head '5B—Land Revenue—Allowances, Honoraria, etc.' (page 27, Civil Estimate) be reduced by Rs. 8,000."

Maulvi EKRAMUL HUQ: "That the demand of Rs. 12,69,000 under the head '5B—Management of Government Estates' (page 27, Civil Estimate) be reduced by Rs. 2,40,000."

Babu BEJOY KRISHNA BOSE, Babu JOGINDRA CHANDRA CHAKRAVARTI and SHAH SYED EMDADUL HAQ: "That the demand of Rs. 12,69,000 under the head '5B—Management of Government Estates' (page 27, Civil Estimate) be reduced by Rs. 2,00,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 7,169 under the head '5C—Survey and Settlement—Controlling Office' (page 29, Civil Estimate) be refused."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 79,027 under the head '5C—Survey and Settlement—Drawing Office' (page 30, Civil Estimate) be reduced by Rs. 4,000."

Babu AMULYA DHONE ADDY: "I beg to move that the demand of Rs. 1,02,980 under the head '5C—Survey and Settlement—Major Settlement Operations—Travelling Allowance' be reduced by Rs. 10,180."

It will appear from my amendment that my suggestion is a very moderate one. It will appear from page 31 of the Civil Estimates that the actual under this head in the year 1924-25 was Rs. 56,943 and the Revised Estimate for the current year was Rs. 92,800 and in the Budget for the ensuing year it is Rs. 1,02,980. My suggestion is a very moderate one because I want to reduce it to Rs. 92,800 which was provided in the Revised Estimate for the current official year. The object of my amendment is to reduce the amount of expenditure and not to hinder settlement operations on any account. The cost of Major Survey and Settlement Operations used to be advanced from the Imperial Revenues before the year 1921 but since that year the whole cost of the operations has fallen on our shoulders—so this fact should not be overlooked that we can no longer draw upon the Imperial

Exchequer for the supply of money to this department. So my object is to put a stop to an unnecessary drain on our impoverished Exchequer effecting such reductions of the expenditure as would neither involve any serious dislocation of the present establishment nor disturb the normal programme of the department, and my object is to protest against any increased outlay in this department.

Under section 114 of the Bengal Tenancy Act the cost of all Settlement Operations is shared by Government and the people, in the ratio of 25 to 75 per cent. Now what happens appears to be this, that a preliminary estimate is made, according to which people are made to pay 75 per cent. of the estimated expenditure. At the conclusion of most operations, a very large saving takes place even after meeting expenditure at a lavish scale which saving the Government is reported to appropriate without any justification whatsoever. In the case of Mymensingh district, the saving is reported to have amounted to Rs. 3 lakhs, which sum the Mymensingh public claimed back for starting a charitable dispensary, and the reply was that the money belonged to Government of India and the local Government was not concerned in it.

The following figures against the successive years showing the actual increase of travelling expenses will undoubtedly prove the lavishness of expenditure of Government in this particular item:—

1924-25 Rs. 56,000 Actuals.

1925-26 - Rs. 92,800 Revised Estimate.

1926-27 Rs. 1,02,980.

From Rs. 56,000 in the year 1924 the Budget Estimate of the travelling allowance under this head has gone up to Rs. 1,02,980, *i.e.*, about double of what it was in 1924. It will be apparent to the House how expenses are gradually rising.

I think it is the duty of this Council to save unnecessary expenses or even those expenses which are not absolutely necessary.

With these remarks I suggest that my amendment be accepted.

Mr. PRESIDENT: Will it be convenient to the Hon'ble Member in charge if all the amendments under this head be moved first?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: If I may be permitted, I would like to make a statement on this motion and then all the amendments may be taken together.

Mr. PRESIDENT: Very well.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: I am rather amused to find that Babu Amulya Dhone Addy has moved this amendment. Perhaps he was sleeping while I said in the statement I made that I was prepared to reduce this demand by Rs. 2 lakhs. It will be a surprise to him when I say that the item will be reduced considerably more than what he proposes. I would refer him to the statement which I have already made and I do not think any further reply is necessary.

Babu AMULYA DHONE ADDY: Under these circumstances, I beg leave to withdraw this motion.

The motion was then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

Babu AMULYA DHONE ADDY: "That the demand of Rs. 7,32,756 under the head '5C—Survey and Settlement—Major Operations—Job Work' (page 31, Civil Estimate) be reduced by Rs. 50,782."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 48,230 under the head '5C—Survey and Settlement—Major Settlement Operations—Supplies and Services—Other Charges' (page 31, Civil Estimate) be refused."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 500 under the head '5C—Major Settlement Operations—Supplies and Services—Customs Duty on Stores' (page 31, Civil Estimate) be refused."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 15,38,140 under the head '5C—Major Settlement Operations' (page 31, Civil Estimate) be refused."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 15,38,140 under the head '5C—Major Settlement Operations' (page 31, Civil Estimate) be reduced by Rs. 20,000."

Babu AMULYA DHONE ADDY: "That the demand of Rs. 27,840 under the head '5C—Survey and Settlement—Minor Operations—Travelling Allowances' (page 32, Civil Estimate) be reduced by Rs. 4,140."

Babu AMULY DHONE ADDY: "That the demand of Rs. 2,19,683 under the head '5C—Survey and Settlement—Minor Operations—Job Work' (page 32, Civil Estimate) be reduced by Rs. 74,083."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 4,97,228 under the head '5C—Minor Settlement Operations' (page 32, Civil Estimate) be refused."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 4,97,228 under the head '5C—Minor Settlement Operations' (page 32, Civil Estimate) be reduced by Rs. 1,90,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 44,099 under the head '5C—Minor Survey Operations' (page 33, Civil Estimate) be refused."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 44,099 under the head '5C—Minor Survey Operations' (page 33, Civil Estimate) be reduced by Rs. 14,099."

SHAH SYED EMDADUL HAQ: "That the demand of Rs 1,43,512 under the head '5C—Major Survey Operations' (page 34, Civil Estimate) be refused."

SHAH SYED EMDADUL HAQ: "That the demand of Rs 1,43,512 under the head '5C—Major Survey Operations' (page 34, Civil Estimate) be reduced by Rs. 7,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 3,01,452 under the head '5C—Survey and Settlement—Pay of Officers' (page 28, Civil Estimate) be reduced by Rs. 70,000."

Babu KHAGENDRA NATH GANGULY: "That the demand of Rs. 10,63,229 under the head '5C—Survey and Settlement—Supplies and Services' (page 28, Civil Estimate) be reduced by Rs. 3,00,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 1,46,823 under the head '5C—Survey and Settlement—Establishment Charges Payable to other Governments, Departments, etc.' (page 28, Civil Estimate) be reduced by Rs. 50,000."

Maulvi AZIMUDDIN AHAMAD and SHAH SYED EMDADUL HAQ: "That the demand of Rs. 23,09,000 under the head '5C—Survey and Settlement' (page 28, Civil Estimate) be refused."

Babu KHAGENDRA NATH GANGULY: "That the demand of Rs. 23,09,000 under the head '5C—Survey and Settlement' (page 28, Civil Estimate) be reduced by Rs. 10,00,000."

Babu SATYA KISHORE BANERJEE and SHAH SYED EMDADUL HAQ: "That the demand of Rs. 23,09,000 under the head '5C—Survey and Settlement' (page 28, Civil Estimate) be reduced by Rs. 6,00,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 23,09,000 under the head '5C—Survey and Settlement" (page 28, Civil Estimate) be reduced by Rs. 4,00,000."

Maulvi EKRAMUL HUQ: "I beg to move that the demand of Rs. 23,09,000 under the head '5C—Survey and Settlement' (page 28, Civil Estimate) be reduced by Rs. 3,98,000."

But, Sir, from the assurance given by the Hon'ble Member that he is going to cut down this demand by Rs. 2 lakhs, I would ask for your permission to withdraw this motion.

Mr. PRESIDENT: Then why did you move it at all.

The motion was then, by leave of the Council, withdrawn.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: In that case the reduction I proposed is not moved at all.

Mr. PRESIDENT: You might move an amendment later on.

The Hon'ble Mr. J. DONALD: I would like to move amendment No. 78 standing in the name of Rai Harendranath Chaudhuri.

Mr. PRESIDENT: Will you kindly let me have written notice?

Babu DEBI PROSAD KHAITAN: Is there a rule that in the absence of the member in whose name a motion is put down, another member may move it?

Mr. PRESIDENT: Notice must be given. I may, however, condone the shortness of the notice.

Babu DEBI PROSAD KHAITAN: Is not the rising of a member in his seat tantamount to notice?

Mr. PRESIDENT: I think it is better to observe certain formalities.

Babu DEBI PROSAD KHAITAN: I am submitting this as a matter of principle.

Mr. PRESIDENT: If you go into the matter of principle, I should then insist on written notice.

The following motion was called but not moved:—

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 23,09,000 under the head '5—Land Revenue—Survey and Settlement' (page 28, Civil Estimate) be reduced by Rs. 3,00,000."

The Hon'ble Mr. J. DONALD: I beg to move that the demand of Rs. 23,09,000 under the head "5—Land Revenue—Survey and Settlement" (page 28, Civil Estimate) be reduced by Rs. 2,00,000.

The motion was put and agreed to.

The following motions were called but not moved:—

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 14,800 under the head '5D—Superintendence' (page 35, Civil Estimate) be refused."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 38,900 under the head '5D—District Charges' (page 36, Civil Estimate) be reduced by Rs. 1,900."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 53,700 under the head '5D—Land Revenue—Land Records' (page 35, Civil Estimate) be reduced by Rs. 12,000."

Maulvi EKRAMUL HUQ: I beg to move that the demand of Rs. 53,700 under the head "5D—Land Records" (page 35, Civil Estimate) be reduced by Rs. 3,000.

This is a small cut that is proposed by me and if the Hon'ble Member were pleased to look into the Budget figures he will find that there are items of expenditure which have gone up even from the Budget Estimates of 1925-26 from the actuals of 1924-25. Under these circumstances it will not be very difficult for the Hon'ble Member if he could accede to the request. It is necessary that we should try to make some savings, so that we can save a lot of money for the other pressing needs of the country.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: I may preface my remarks by saying that we are not extravagant in the provisions we have made. There is an increase in the total cost of Rs. 3,000 under the head "Superintendence" and Rs. 2,000 under the head "District Charges". The increase in "District Charges" is chiefly due to provision for increments of pay under the prescribed time-scales. The apparent increase under the head "Superintendence" is partly accounted for by the variations in

the "Deduct" entry. Major settlements are charged with three-eighths of the cost of superintendence; minor settlements are charged with one-eighth; but this is subject to a maximum of 10 per cent. on the cost of the minor operations. The rest of the increase is made up of small amounts. The demand admits of no reduction, and it must be voted in full.

The motion of Maulvi Ekramul Huq was then put and lost.

The following motions were called but not moved:—

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 1,000 under the head '5—Land Revenue—Calcutta House Allowance Scheme' (page 23, Civil Estimate) be refused."

Maulvi MD. ABDUL JUBBAR PAHLOWAN and Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 39,84,000 under the head '5—Land Revenue' (page 23, Civil Estimate) be refused."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 39,84,000 under the head '5—Land Revenue' (page 23, Civil Estimate) be reduced by Rs. 6,00,000."

Babu HEMANTA KUMAR SARKAR, Mr. SYED M. MASIH and Maulvi MD. ABDUL JUBBAR PAHLOWAN: "That the demand of Rs. 39,84,000 under the head '5—Land Revenue' (page 23, Civil Estimate) be reduced by Re. 1."

The motion that a sum of Rs. 39,84,000, as amended in Council, be granted for expenditure under the head "5—Land Revenue" (page 23, Civil Estimate), was then put and agreed to.

6—Excise.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 23,77,000, be granted for expenditure under the head "6—Excise".

The following motions were called but not moved:—

Maulvi ZAHOOR AHMED: "That the demand of Rs. 35,500 under the head '6A—Excise—Administrative Establishment—Pay of other Gazetted Officers' (page 38, Civil Estimate) be reduced by Rs. 14,400."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 14,500 under the head '6A—Superintendence—Travelling Allowance' (page 38, Civil Estimate) be reduced by Rs. 4,500."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 8,000 under the head '6A—Superintendence—Rewards' (page 38, Civil Estimate) be refused."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 1,54,000 under the head '6A—Superintendence' (page 38, Civil Estimate) be refused."

Babu KHAGENDRA NATH GANGULY: "That the demand of Rs. 1,54,000 under the head '6A—Superintendence' (page 37, Civil Estimate) be reduced by Rs. 50,000."

Maulvi ZANNOOR AHMED: "That the demand of Rs. 1,54,000 under the head '6A—Excise—Superintendence' (page 38, Civil Estimate) be reduced by Rs. 24,000."

Babu TARAKNATH MUKERJEA: "That the demand of Rs. 1,54,000 under the head '6A—Excise—Superintendence' (page 38, Civil Estimate) be reduced by Rs. 14,000."

Maulvi EKRAMUL HUQ: I beg to move that the demand of Rs. 1,54,000 under the head "6A—Excise- Superintendence" (page 38, Civil Estimate) be reduced by Rs. 8,000.

On looking into the Budget we find that the expenses in the year 1924-25 has been very much exceeded on several heads; for instance, under the head "Commissioner Pay of Officers" the actual figure for the year 1924-25 was Rs. 21 lakhs and odd—the figure to-day stands at Rs. 27 lakhs and odd. Similarly there are other variations in the Budget. I think that if the Hon'ble Member had just tried to effect some savings it is likely that he could have done that. But unfortunately, Sir, our own people are generally more lavish in expenditure than the European members of Government. On a comparison we find that in the case of Indian members the figures are higher than those in the case of European members. I should make a small request to the Hon'ble Member that as an Indian he should see that as much cut as is possible is made in the items of expenditure in the departments with which he is concerned, in order that we can make the necessary savings and be able to do as much as we can towards meeting the necessary and inevitable expenses of the country. I do not know if the Hon'ble Member will agree to the demand, but I think if the Hon'ble Member desires to make this cut he will not at all find it difficult to do so.

The Hon'ble Mr. J. DONALD: Sir, I do know what is the definite idea underlying this motion because in the figures under the head "Superintendence" I find that there is a reduction instead of an increase. The reduction has been a steady one. In 1922-23 the figures were Rs. 1,98,000, in 1923-24 Rs. 1,90,000, in 1924-25 Rs. 1,85,000, and in the estimate for next year the figures are Rs. 1,84,000. We have considerably reduced the figures for allowances. The whole trend has been towards reduction since 1923. From the economy point of view our estimate is quite good.

Maulvi EKRAMUL HUQ: After what I have heard from the Hon'ble Mr. Donald, I beg to withdraw my motion.

The motion was then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 29,275 under the head '6B—Inspection and Prevention—Pay of Superintendents and Prosecutor' (page 39, Civil Estimate) be reduced by Rs. 8,775."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 40,000 under the head '6B—Inspection and Prevention—Rewards' (page 39, Civil Estimate) be refused."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 2,35,000 under the head '6B—Presidency Establishment' (page 39, Civil Estimate) be refused."

Babu KHAGENDRA NATH CANGULY: "That the demand of Rs. 2,35,000 under the head '6B—Presidency Establishment' (page 39, Civil Estimate) be reduced by Rs. 40,000."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 2,35,000 under the head '6B—Presidency Establishment' (page 39, Civil Estimate) be reduced by Rs. 35,000."

Maulvi ZANNOOR AHMED: "That the demand of Rs. 2,35,000 under the head '6B—Excise—Presidency Establishment' (page 39, Civil Estimate) be reduced by Rs. 20,000."

Maulvi EKRAMUL HUQ: "That the demand of Rs. 2,35,000 under the head '6B—Presidency Establishment' be reduced by Rs. 19,000."

Babu AMULYA DHONE ADDY: I beg to move that the demand of Rs. 3,99,600 under the head 6C—District Executive Establishment—Inspectors and Sub-Inspectors be reduced by Rs. 19,600.

The District Executive establishment shows the largest increase in the department of excise. From the actual in the year 1924-25, Rs. 7,68,748 the estimate has gone up to Rs. 8,32,000.

Before 1915 there had been no expenditure for " Superintendence " as the duties of this office had been performed by a Deputy Collector who in addition to his other duties as Deputy Magistrate and Deputy Collector discharged the function of this office quite satisfactorily. It took them only few hours every week to manage the excise office. So, the Government should curtail expenditure from other items under this head to meet the additional expenditure entailed from the separation of the functions of the Superintendents of Excise from the hands of Deputy Collectors. Generally, there are 2 Inspectors and 8 Sub-Inspectors in each district and there is also a Superintendent in each district. So I think there should be a reduction either of their number or of their pay. In the year 1915, the Bengal Salt Department was added to the Excise Department. The Bengal Retrenchment Committee remarks:

> We consider this is straightforward preventive work that requires no technical experience and we would transfer it to the local police. Very little excise work is done by the staff employed to prevent and to detect offences in regard to salt, and what little has to be done could be carried out by the regular excise staff by a slight redistribution of work. The necessity for special salt staff therefore disappears and we would abolish the posts of 6 Inspectors, 25 Sub-Inspectors, 123 petty officers and 133 peons. Nine big boats and five party boats could be dispensed with at once without any loss of efficiency.

So it will appear that even a Committee appointed by Government suggested a reduction in this matter. But notwithstanding the fact I am astonished to find that the Government has been increasing the expenditure on this head from year to year. It further appears from the estimate that though the number of officers has been reduced from 225 to 214 yet the amount has been increased from Rs. 2,90,000 to Rs. 3,09,600. My suggestion is not to make any further increase but to put a stop to it in accordance with the suggestions of the Bengal Retrenchment Committee. My hon'ble friend in charge of Local Self-Government has made allegation against me that I have been sleeping over the matter. But it appears that the Government itself has been sleeping over the report of the Retrenchment Committee appointed by the Government itself.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: Sir, we did consider the report of the Retrenchment Committee and we have made reductions every year as

will be seen from the figures since 1923. The increase in the estimate provides for the pay of the Inspectors on selection grade of Rs. 450 and increments in the pay of 214 Inspectors and Sub-Inspectors on time scale of pay. The increased demand is, therefore, a normal one and will not admit of any reduction. In the circumstances it will not be possible for me to accept the motion.

The motion of Babu Amulya Dhone Addy was then put, and a division taken with the following result:—

AYES.

Addy, Babu Amulya Dhone.	Chowdhury, Maulvi Fazlal Karim.
Ahmed, Maulvi Tayebuddin.	Daud, Mr. M.
Ahsanullah, Moliah.	Lal Mahammed, Haji.
Banerjee, Babu Satya Kishore.	Ray, Babu Nagendra Narayan.
Chakravarti, Mr. Syamkes.	

NOES.

Addams-Williams, Mr. C.	James, Mr. F. E.
Afl, Mr. Altaf.	Jennaway, Mr. J. H.
Birley, Mr. L.	Khaitan, Babu Debi Prosad.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.	Lindsay, Mr. J. H.
Child, Mr. R. H.	Morone, Dr. H. W. B.
Cooper, Mr. C. G.	Morgan, Mr. C.
Crawford, Mr. T. C.	Oaten, Mr. E. F.
Das, Babu Charu Chandra.	Patterson, Mr. G. C.
Das, Rai Bahadur Amar Nath.	Ray Chaudhuri, Mr. K. C.
De, Mr. K. C.	Roy, Mr. S. N.
Donald, the Hon'ble Mr. J.	Simpson, Mr. J. W. A.
Drummond, Mr. J. G.	Skinner, Mr. S. A.
Dutt, Mr. G. S.	Smaith, Mr. J. F.
Farequi, Khan Bahadur K. G. M.	Stephenson, the Hon'ble Sir Hugh.
Goenka, Rai Bahadur Badridas.	Travers, Mr. W. L.
Heard, Major General Richard.	Villiers, Mr. E.
Hopkyns, Mr. W. S.	Wilson, Mr. R. B.
	Woodhead, Mr. J. A.

The Ayes being 9 and the Noes 35, the motion was lost.

The following motions were called but not moved:—

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 8,32,000 under the head '6C—District Executive Establishment' be refused."

Babu SATYA KISHORE BANERJEE: "That the demand of Rs. 8,32,000 under the head '6C—District Executive Establishment' be reduced by Rs. 75,000."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 8,32,000 under the head '6C—District Executive Establishment' (page 40, Civil Estimate) be reduced by Rs. 50,000."

Maulvi ZANNOOR AHMED: "That the demand of Rs. 8,32,000 under the head '6C—Excise—District Executive Establishment' (page 40, Civil Estimate) be reduced by Rs. 20,000."

Maulvi EKRAMUL HUQ: "That the demand of Rs. 8,32,000 under the head '6C—District Executive Establishment' (page 40, Civil Estimate) be reduced by Rs. 17,000."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 49,400 for expenditure under the head '6D—Distilleries—Rewards' (page 42, Civil Estimate) be reduced by Rs. 24,700."

Maulvi SAYYED SULTAN ALI: "That the demand of Rs. 2,06,000 under the sub-head '6D—Distilleries' (page 41, Civil Estimate) be refused."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 2,06,000 under the head '6D—Excise—Distilleries' (page 41, Civil Estimate) be reduced by Rs. 50,000."

Babu SATYA KISHORE BANERJEE: "That the demand of Rs. 2,06,000 under the head '6D—Distilleries' (page 41, Civil Estimate) be reduced by Rs. 25,000."

Maulvi EKRAMUL HUQ: "That the demand of Rs. 2,06,000 under the head '6D—Distilleries' (page 41 Civil Estimate) be reduced by Rs. 12,500."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 11,50,000 under the head '6—Excise—Cost Price of Opium' (page 37, Civil Estimate) be reduced by Rs. 5,00,000."

SHAH SYED EMDADUL HAQ and Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 23,77,000 under the head '6—Excise' (page 37, Civil Estimate) be refused."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 23,77,000 under the head '6—Excise' (page 37, Civil Estimate) be reduced by Rs. 12,00,000."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 23,77,000 under the head '6—Excise' (page 37, Civil Estimate) be reduced by Rs. 11,88,500."

Rai HARENDRANATH CHAUDHURI, Maulvi TAYEBUDDIN AHMED and SHAH SYED EMDADUL HAQ: "That the demand of Rs. 23,77,000 under the head '6—Excise' (page 37, Civil Estimate) be reduced by Re. 1."

Mr. E. VILLIERS: Sir, with your permission I wish "to move that the demand of Rs. 23,77,000 under the head '6—Excise' be reduced by Re. 1."

In moving for this reduction, Sir, I wish to make it clear at the outset that I am not speaking officially in the name of the European group. Moreover, I labour under the serious handicap laid upon me by our mutual friends, the Swarajists, by their walking out and not having had sufficient time to prepare the soul-stirring speech with which I had hoped to stir them to a state of frenzied indignation! But, Sir, the points which I propose to raise in connection with this one-rupee cut will speak for themselves. In the first place I wish to draw the attention of the House to a Budget system which I can only characterise as rotten, depending as it does for over 22 per cent. of its revenue on such a thing as drink, the consumption of spirits, the smoking of opium and so on. In the second place I wish to register my emphatic condemnation of the amazing apathy displayed by Government in the handling of the situation and the way in which they appear entirely to disregard the question of the growing consumption of spirits in this province.

Now, Sir, the point that is always put forward by Government is that in making Excise a source of revenue they do so with the avowed intention of encouraging the minimum of consumption but at the same time of raising the maximum of revenue. Now, Sir, should the question of priority arise as between these two objectives, I should like to ask the Government which would take the priority—the decrease in consumption of spirits or the decrease of revenue—what position would Government take up? Personally I have not the slightest hesitation in saying that no matter how keen the Government are in seeing the consumption of spirits reduced, the question of revenue would take paramount importance with them. Moreover, Sir, this is not merely a matter of my own opinion since the figures themselves go a very long way in substantiating this. A cursory glance at the Report on the Administration of the Excise Department will show that since the year 1921 the revenue under this head has increased from Rs. 1,83,00,000 to no less than Rs. 2,15,00,000. Further, it cannot be maintained that this increase in revenue is simply due to higher prices or a better system of collection since the figures of consumption give a contrary answer. The increase in country spirit in one year, the last year dealt with in the report, is 11,534 gallons and in imported liquor 30,000 gallons, and the number of licences granted has increased in one year by 315—getting on for one per day throughout the year.

Now, Sir, I would remind the Government that in 1922 they accepted the principle of local option thereby showing that so far as in them lay they intended in words—I am sorry to say they have not translated

it in deed—to give their sympathetic attention to the question of the discouragement of the drinking of spirits in the province. Moreover, when the matter was dealt with by the Bombay Excise Commission several suggestions were made all of which seem to me to give a willing Government a lead in the matter of evolving some sort of policy which, taken either *in toto* or in a modified form, would enable them to formulate some definite policy of progressive diminution for the future. I do not suggest that they should seek to introduce sudden and drastic prohibition for not only do I believe that to be incapable of being put into effect in a practical form, but I believe the system to be wrong and fundamentally unsound. But leaving this drastic method aside, there are various other possible suggestions which can be considered and it is in order to bring them again to the notice of Government that I am moving this reduction of Re. 1. There is, for instance, the question of local option. The objection will be raised that it bristles with difficulties—the difficulty of the franchise, the impossibility of bringing in local option under the present system of franchise and the difficulty of educating public opinion on the subject, and so on and so forth, but Government might make an attempt in this direction. Then there is the question of the control of the supply of spirits to shops and the control of the percentage of alcohol in the liquor supply. In answer to that I have, no doubt, that the time-honoured point will be raised that as soon as one starts tampering with the control of liquor it will encourage illicit distillation. I cannot accept that as an answer. And finally, of course, there is always the very simple method of giving wider powers to the Board of Control. Sir, whatever steps they take, whether they take one of the suggestions that I have mentioned, whether they take any one of them as a whole or in a modified form, I hope that some fertile brain in the Government will be able to evolve a means of dealing with the question. I think we should absolutely insist upon Government laying down some definite policy. I do not mind if this policy takes 10, 20 or 30 years to become effective—but there should be some definite policy aiming at the progressive diminution in the consumption of spirits in this province, and I ask the House to insist with me on some steps being taken by Government to achieve this end.

Babu DEBI PROSAD KHAITAN: Sir, I rise to support the motion that has been moved by my friend Mr. Villiers. He has in fact stated almost everything that had to be said, and if I have risen to speak on this occasion, it is only to express my heartiest sympathy with the object which he has laid before the Government for consideration. There is, no doubt, that lip sympathy has often been given by all the Governments for the abolition, or even the gradual abolition of the evil of drinking spirituous liquors, but what practial steps have been taken by them in this direction it is not yet known. It is quite

true that the various officers who have been in charge of the department have felt the greatest sympathy with the object underlying the motion that is before the House at present; but if they are in earnest, then *some* scheme could easily be devised by which there would be a gradual reduction—a steady reduction—of the evil that has taken hold of the country. If steady endeavours are made, there can be no doubt whatsoever that some scheme may be devised by which the object may be attained. When the department is in the hands of the Nawab Bahadur, I have no hesitation in thinking that, having regard to the religion which he follows, he will have the utmost sympathy with us in this matter, and that during his régime he will evolve some scheme which will put into practical operation the good that is intended by this motion to be achieved.

Mr. S. C. MUKERJI: Sir, I congratulate Mr. Villiers on the amendment which he has moved. For five years I have been under the impression that this is a subject in which the European members take no interest. (Question!) I am very glad that it has been questioned: that is exactly what I want. Well, Sir, Government have a definite excise policy. That policy has been enunciated from time to time in this House and I know that Government have steadily and consistently pursued that policy. But what I want the Government to know is that the excise policy of Government is not the policy of the people of India. India wants prohibition. The All-India Temperance Conference, which was held only the other day at Delhi, and which was a representative conference of the whole of India, enunciated prohibition as the policy of the Indian people in this matter.

But, Sir, in the year 1921 in this very Council I made a very moderate request, and a resolution demanding the policy of local option, was accepted in the month of August, 1921, and the Member who is in charge of this Department to-day was in charge of that Department at that time. Four years have gone by since then, and still that policy of local option has not been given effect to. The Government policy is minimum of consumption consistent with maximum of revenue. The result is, as years roll on, we have a maximum of revenue with a maximum of consumption, and with the revenue that we get from Excise we want to build the Empire and the Nation-Building Departments. The acid test for Government is—where is the money to come from if Excise revenue is to be abandoned? I have given one simple answer; that we would rather go in for additional taxation. (A VOICE: No, not taxation.) You may not want it, but I would rather go in for additional taxation than to have this revenue from this evil which has meant the degradation and ruination of the people of this country. I give my wholehearted support to the motion of Mr. Villiers.

Babu AMULYA DHONE ADDY: I have much pleasure in supporting the amendment which has been moved by Mr. Villiers. It appears from the Budget itself that the actual expenditure under this head of Excise in the year 1924-25 was Rs. 14,93,000 but in this Budget it is proposed to increase it to Rs. 27,51,000, an increment of 85 per cent., during two years.

Sir, it appears from the report of the Retrenchment Committee that they suggested a reduction of Rs. 5,02,000, but instead of making any reduction whatever in accordance with the unanimous recommendations of that Committee, Government has thought it fit to increase the expenditure by 85 per cent. Now, Sir, this Committee came to this conclusion after hearing 108 witnesses, after hearing some of the leading members of this Council, and taking into considerations the opinion of several important public bodies of Calcutta and other districts of Bengal.

Sir, it appears from the said report itself that in the year 1913-14 the expenditure for the pay of salaries of officers was Rs. 6,26,000, but in the year 1922-23 it went up to Rs. 17,18,000 and in this Budget it has been doubled.

As regards Travelling Allowances, the amount of expenditure has been going up from year to year. I would simply draw your attention to the report of this Committee on the question of travelling and other allowances. They said:

> That they have no doubt that in many instances travelling allowance is a source of considerable profit to the officers concerned. Officers entitled to travel first class by train actually travelled second class and drew first class allowances, and tours were conducted in long and uneconomical train journeys. Specific instances of extravagance have been brought to the notice of Government.

So it appears, Sir, that the amount of travelling allowance has been going up from year to year notwithstanding the unanimous recommendation of a Committee appointed by the Government itself.

It may be said that this is really a vote of censure, but I am extremely sorry to say, Sir, that the Government has, so far as the administration of this department is concerned, deserved it. Sir, we find that there is a deficit of Rs. 32 lakhs in this Budget, and we have not been able to reduce any taxation whatever during the last three years; on the contrary, we have been under the painful necessity of increasing taxation. Notwithstanding these facts Government has not found any way of reducing the expenditure, on the contrary, it has increased from year to year. What have we done during the last three years for the introduction of primary education and for the supply of drinking water in the mufassal, practically nothing.

Mr. PRESIDENT: That has nothing to do with the Excise Department.

Babu AMULYA DHONE ADDY: I admit that, Sir, but having regard to the fact that there is a deficit in the Budget, having regard to the fact that the Retrenchment Committee has made recommendations for reducing expenditure, Government has provided in the Budget for increased expenditure from year to year, and having regard to the abuse made by the officers concerned by way of Travelling Allowance, I think, Sir, Government would have been justified in accepting some at least of the suggestions of the members of this Council for reduction. On the contrary, we find Government has not thought it fit to reduce even a single farthing, therefore I think the Council would be right in passing this vote of censure.

Mr. M. DAUD: Mr. President, I rise to support the motion of my friend Mr. Villiers, and my grounds for doing so are the following: Government have persistently followed a policy which is not the policy of the people of Bengal. Government are deriving a revenue of Rs. 23,77,000 from this head "Excise". By deriving this revenue Government is practically telling the people of this country that temperance is a thing which should not be considered, but on the other hand, Government is rather advising the people to have resort to drinks and drugs. From a labour point of view I criticise the policy of Government because they have permitted drugs shops and liquor shops to be located just in front of mill gates, thereby in a way inducing workmen to spend their hard-earned money on drugs and liquors. This is one aspect of the question.

Another aspect is that in this city of Calcutta every day we hear in the columns of newspapers, cocaine and opium smuggling going on in broad daylight. Even Mr. Keays, the Additional Chief Presidency Magistrate, observed this, in two cases in his judgment. What have you done, you have done nothing. All you have done is to appoint a Committee, and you have shelved the matter. If this is the policy of the Government then practically you are asking the people to spend their money on drugs and liquors, and my hon'ble friend, Mr. Villiers, rightly observed that if your intention is to derive so much revenue from this department, you cannot look to the good of the people, because if you asked the people not to addict themselves to drinking and drugs, then naturally you will not get that revenue from Excise.

This is the policy of Government so far as this item is concerned. Government must find a way to change this Excise policy in future. The third aspect of the question relates to the licenses granted to vendors. These drug and liquor shops, although a rule has been made by the Government that shops will be given to vendors on the system of nomination and not on auction, yet you are not giving the best consideration to the applications for vendorship of persons belonging to the Anglo-Indian or Muhammadan community. You are allowing

these shops to be run by others and if Muhammadans and Anglo-Indians come up for shops you won't allow them these shops. So there is an absolute monopoly for these vendors belonging to men of one community and this policy I condemn.

On these grounds I support the motion of Mr. Villiers.

The Hon'ble Mr. J. DONALD: I am not answering for the policy of Government, but I would like to say a very few words about Babu Amulya Dhone Addy's remarks regarding provision in the Budget under this head. The Finance Department take a lot of trouble to give as much information as they can in this book (Financial Statement) about the budget, but it seems that the member has not taken the trouble to read the book at all. If he will look at page 23 he will see that every thing he has said about increase in expenditure is incorrect. There has been a gradual reduction in expenditure every year, and the big jump this and last year is due to the fact that the payment to the Government of India for the cost of opium in stock in Bengal treasuries has been included in full in the expenditure side of the Budget and not taken as a deduct entry.

(At this stage the Council was adjourned for 10 minutes.)

(After the adjournment.)

Dr. H. W. B. MORENO: I do not care to give a silent vote on a matter of such importance, especially as it affects my community in particular. I am in favour of the reduction of the Excise demand by Re. 1, as a vote of censure against the present Excise policy of the Government. There always has been a great deal of quibbling about "the minimum of consumption and the maximum of revenue"; but there is no denying that the Excise policy of the Government, at the present moment, is one of drift—a question of *laissez faire* and unless and until we have something definite from Government for the improvement of the present state of affairs so far as their Excise policy is concerned, this demand of the Government will continue to be attacked and a cut made should act as a vote of censure, seeking as it does to criticise the present Excise policy of the Government.

There is another matter to which Mr. Daud has alluded, and I should like to emphasise it—it is this—that Government give facilities to workmen, by this I include people of the artizan class, employed in mines, quarries, in mills and other such centres, to have liquors and drugs conveniently near by their spheres of employment. This causes a serious drain upon the income of these poor people and renders a great many of them penniless. These facilities allow them to spend their last farthing in drink or other harmful drugs.

Although I may appear contradictory, I should like also to point out the amazing fact that, whereas other communities manage to secure licenses for hotels and restaurants in Calcutta and round about, no

Anglo-Indian is ever given any chance although such places are to a great extent frequented by Anglo-Indians as they are by Europeans. It is very remarkable, as Mr. Daud has pointed out, that Anglo-Indians are not given any chance in this respect. At present Anglo-Indians are forced to patronise the hotels and restaurants owned by Europeans, mostly foreigners, and thereby they help to swell the pockets of others to their own detriment.

With these remarks I support the motion for reduction of the Excise demand by Re. 1 by way of vote of censure on the present Excise policy of the Government.

(After Dr. H. W. B. Moreno had finished, Mr. G. S. Dutt, Secretary to Government, Department of Agriculture and Industries, rose to speak.)

Mr. PRESIDENT: Do I understand that you are going to reply on behalf of Government, Mr. Dutt?

SECRETARY to GOVERNMENT, DEPARTMENT of AGRICULTURE and INDUSTRIES (Mr. G. S. Dutt): Yes, Sir.

Mr. PRESIDENT: Then, I think, I should give other members who are willing to speak an opportunity to do so.

Mr. F. E. JAMES: I should never accuse Dr. Moreno of consistency in his speeches. He is never consistent. In fact he is consistent in his own inconsistency. I would like to draw Dr. Moreno's attention to the Report of the Excise Commissioner that has been published in which it is stated that an unusually large number of licenses for whole sale and retail drink were issued during the year 1924-25. The number of additional licenses issued during that year is 300, more or less. And in the places where the licenses were granted I cannot help noticing that Dr. Moreno's community is not slow in taking advantage of the late closing of liquor shops!

On the general question of excise I should like to make one or two observations. In the first place I think notice should be taken in this House of the very definite change in the general policy of the Government of India and through that Government, of the provincial Governments, in the matter of the opium trade. Those who have read His Excellency the Viceroy's speech in the Legislative Assembly in which a reference was made to the future policy of the Government of India in regard to opium, cannot help realising that an enormous change has come over the situation and Government have tremendously modified their attitude in regard to opium. This they have done as the result of steady constitutional pressure inside the House and

pressure of public opinion outside the House. It is unfortunate that one cannot congratulate either the Government of India or the Government of Bengal on the same readiness on their part to listen to public opinion in the matter of drink. Ever since the resolution on local option was passed by this Council in 1921 pressure has been brought to bear upon the Government within and without the House to modify their excise policy.

The complaint of those who are in favour of temperance reform is not that Government have not modified their policy but that they have not modified it sufficiently. During the last five years certain modifications in the Government excise policy have been brought about but the result is far from what it should be. The Hon'ble Mr. Donald who was for some time the Member in charge of Excise is peculiarly sensitive in the matter of Excise and naturally so, because he is also the Finance Member, and what touches excise touches finance. He has always been extremely glad to note in his Budget speeches an increase in excise revenue and a decrease in the consumption of country spirit. But he does not say anything about the corresponding and more than corresponding increase in the consumption of foreign liquor, particularly, foreign spirits. Those who know this question in Bengal thoroughly, state in no uncertain voice that there is really a serious increase, among the Indian communities in particular, in the consumption of foreign liquor.

I should like to ask Government to tell us in so many words what actual steps they have taken during the last three or four years to discourage the consumption of liquor. We know the steps they have taken to increase the revenue from excise but what steps have they taken to diminish the consumption of liquor and spirits, etc. I would urge the Government to regard this matter sympathetically. The Government must be aware that outside this House there is a growing feeling amongst every community in the country that the Excise policy of Government is all wrong and that more drastic steps should be taken to diminish the consumption of liquor. The representations of the Temperance Reform Movement to Government so far as I have been able to gather are almost of no avail. Government are perfectly aware of the fact that it is the present intention of the Temperance representatives upon the Local Excise Board in Calcutta to withdraw from the Board because they feel that there is no use their staying on a Board in which their views do not meet with acceptance and in which the temperance point of view does not receive adequate consideration. Well, Sir, the representatives may be wrong—I do not say that they are always right, but I would ask Government to consider whether it would not be a most unfortunate thing if that decision is allowed to take effect for this particular reason.

The impression outside temperance circles would be as unfortunate as the impression within temperance circles, and I am sure Government would not wish to add to their difficulties in this way.

I would also like to ask Government whether they do not consider that it would be to the public advantage to contemplate to the appointment of an Excise Committee somewhat on the lines of the Excise Committee recently appointed in Bombay. Whatever may be said of the report of the Bombay Excise Committee, it must be admitted on all hands that they did their job thoroughly, that they have produced suggestions of various kinds, and, more than all, that they have put forward constructive proposals dealing with the difficult question of the financial implications. I do not know whether Government have considered this question very carefully; but I throw it out as a serious suggestion and I hope that in future Government will be a little more sympathetic to the representations of those who have the welfare of India at heart and who believe in the reform of the people not only through legislation, but also through social pressure with the help of Government.

Dr. H. W. B. MORENO: As a point of personal explanation, may I have your permission to say a few words? Mr. James has attacked me on the ground of inconsistency. Let me tell him that I was not dealing at all on the question of closing hotels and liquor shops, later or earlier, I was dealing only with the matter of granting licenses to Anglo-Indians to open hotels and restaurants for the benefit of Anglo-Indians. I trust, then, Mr. James will see that there is some consistency in all my inconsistencies to which he has alluded.

Mr. C. S. DUTT: I find some difficulty in dealing with this question of the Government's excise policy owing to the fact that different speakers have approached it from different points of view. Mr. Mukerji would have it that Government should accept prohibition as their policy as recommended by a recent conference. I would however, remind him that in 1921 this very Council rejected a resolution in favour of prohibition. Therefore, so far as this Council is concerned, prohibition has been rejected definitely, and until this Council is prepared to pass a resolution recommending this policy Government would not be justified in moving in the direction of coercing one section of the community into abstinence to meet the moral scruples of another section. The other members who have spoken have not advocated prohibition but they have confined their remarks to a consideration of restrictive methods in dealing with excisable articles.

Dr. Moreno has characterised Government's Excise policy as one of "drift", and Mr. James has criticised it as unsympathetic. I

may say this that whatever criticisms may be levelled against the excise policy of Government, it can hardly be said to be one of drift or of want of sympathy.

The last time that a resolution was passed on this subject was in 1921, *viz.*, the resolution of Mr. Mukerji which had two sections: The first was that the application of the principle of local option to municipal areas should be tried as the first step towards the full realisation of the policy of self-Government in excise administration. That was a very restricted recommendation—it only referred to the trial of the principle of local option in municipal areas. The second position of the resolution referred to the acceptance of the policy of restricted consumption—

(*i*) by the levying of an enhanced duty and an increase of retail market prices;

(*ii*) by the reduction in the number of shops and the strict application of departmental rules to the sites of shops;

(*iii*) the limitation of the hours of sale; and

(*iv*) the reduction of the issue of strengths. Government have fully accepted this part of the resolution not only in spirit——

Mr. E. VILLIERS: May I know what has been done?

Mr. C. S. DUTT: As I was saying Government have accepted this portion of the resolution not only in spirit but in letter as well—that is to say, the number of shops are being reduced, the hours of sale have been restricted, the issue of strength has been reduced and the duty has been increased lately. Mr. Villiers has complained that the number of foreign liquor licenses has been actually increased by over 300. This is however misleading. The increase here relates to temporary licenses of an emergent character in connection with amusements and social entertainments and to the allowance of late closing hours in Calcutta to meet the exigencies of social entertainments. These are not really regular licenses and can hardly be counted as such.

We were dealing recently with the question of opium and it was found that the consumption in Calcutta and the neighbouring places was much above the standard fixed by the League of Nations. As the Council is aware, Government at once raised the duty and the retail price of opium per seer by Rs. 20. Similarly, Government recently found that the consumption of *ganja* was going up very rapidly and there is a proposal at the present moment under their consideration, orders on which are expected to issue very shortly, to increase the duty and the retail price of *ganja* by Rs. 10 per seer,

and that of *charas* by Rs. 20 per seer. Therefore it is evident that Government are fully alive to the importance of the question of the reduction of the facilities for consumption.

As early as 1914 Government declared very clearly their excise policy in a resolution in the following words:—

> The settled policy of Government is to minimise temptation to those who do not drink and to discourage excesses amongst those who do; and in furtherance of this policy all considerations of revenue must be absolutely subordinated.

In the face of this, it is not correct to say that Government are not sympathetic towards temperance, or that they do not realise the necessity of checking the consumption of these articles. The whole question resolves itself to one of method as to how this is to be brought about and that is the question which Government have been considering ever since 1921. As I have said, one portion of the Council resolution was accepted and the other portion referred to the application of local option to municipal areas. Government took up an investigation into this latter question and asked the opinions of District Officers in 1924. The majority of District Officers reported that if any policy of local option was introduced, it would be inoperative and that there was a widespread fear of undue religious and social influence being exercised. The question is thus one of extreme difficulty and I am sure the Council will realise this. Mr. James has referred to the Bombay Government's deliberations and investigations into excise matters. That Government have, after very careful consideration, definitely rejected local option as a practical policy. I would refer him to the report of the Bombay Committee and to the resolution of that Government. Here, therefore, we have got up to date material before us. Mr. Villiers says that Government do not wish to move: this is not correct. If Government do not move, it is because they are faced with insuperable difficulties in devising effective methods for restricting consumption without at the same time giving a premium on illicit trade. If you do not accept prohibition it is very difficult to see how you can have local option, because local option in the conditions which now exist in Bengal will practically mean prohibition. In rural areas you have one shop for a large area, say, for a radius of seven or eight miles, and sometimes more. Abolition of such a shop means a total denial of facilities in that area and therefore prohibition. Again local option will mean a referendum to the villagers over a radius of seven or eight miles as to whether they wish to abolish a shop seven or eight miles away. Most villagers will be ignorant or indifferent on such a issue and there will be a tug of war between the prohibitionists on the one hand and the trade on the other, to persuade them to give their votes in favour, of one side or the other, and it will be a pure gamble as to which side will gain the preponderance. The result would be not a real local option but a

pseudo-local option. We all know, Sir, to-day, the dangers inherent in an electoral campaign among an ignorant and in different population. In municipal areas we have, no doubt, a more manageable and more intelligent electorate, but here the difficulty is this: that in most municipalities there is only one shop of each kind and local option will mean a clear issue as to the abolition of this single shop and, therefore, a total denial of facilities; or in other words, prohibition. Not that Government have yet decided definitely against local option but I mention these to show the difficulties which beset this question. Government have now got an exhaustive report submitted very recently by the Excise Commissioner on the whole question. This report has just been printed. Government have been very carefully considering the whole question from every point of view and they are impressed with the difficulties of dealing with local option. As I have already explained Government have not yet arrived at any final opinion on this matter and they will welcome any expression of opinion and practical suggestions from members of Council on this very thorny subject.

We have had various criticisms on the Government's policy to-day from members, but I may say that no practical suggestions have been offered except a general suggestion regarding local option. It is, as I have said, a question fraught with difficulties—to put it very mildly. The only practical suggestion that has been offered is that by Mr. James, that Government should appoint a committee. Well, Sir, committees are evidently the order of the day but I doubt whether any refusal purpose will be served by merely appointing a committee. Mr. James realises, I think, that the question is fraught with such difficulties that Government cannot by a stroke of the pen solve the whole question of excise policy and that is why he has suggested the appointment of a committee. Well, Sir, as I have tried to show Government are now investigating into the question. We have now a system which, in the circumstances of the country, is working fairly well although it is not a perfect one. We have in municipal areas the Municipal Board as the Advisory Committee, and in rural areas the Local Board as the Advisory Committee, and their opinions on the matter of the location of shops and of the reduction of facilities are respected and carried out almost in every instance. There we have a machinery already in existence—Government do not say it is perfect and recognise that it admits of improvement they would welcome practical suggestions in this direction. I am authorised by the Hon'ble Member in charge to say that if Mr. Villiers and other members interested in the question would care to meet him, he would be exceedingly glad to discuss the difficulties and frame a practical scheme of advance.

Then with regard to opium I have already shown that something has been actually done to check the increase of consumption during the past few years. Over and above that in accordance with the wishes of the League of Nations Government are considering whether it is not practicable to introduce a system of registering and of medical record. A scheme of this nature is now under consideration. But it is yet too early to say when the scheme can be given effect to.

I mention all this in order to show that Government are fully alive to the importance of the question from all points of view and they are doing what they possibly can to find out a solution of this problem.

I have shown the difficulty of introducing a system of local option. Government are however considering whether Advisory Committees should not be entrusted with larger powers and whether an extension of the system of Licensing Boards will be practicable. Members of the Council know that we have Licensing Boards in Calcutta, Bally and Howrah, and that Government have given them practically a *carte blanche* in almost all excise matters excepting in the matter of the selection of vendors. There is thus really no legitimate ground for complaint in these areas as regards control. Reference was made by Mr. James to the resignation of two members from the Calcutta Licensing Board who represented the Temperance Federation. That was a very unfortunate thing because Government welcome the presence of the representatives of the Temperance Federation on the Board. The Hon'ble Member as soon as he heard of the resignations sent for the two members—Rev. Anderson and Mr. Chaudhuri—and discussed the whole question with them. It was found that they had some disagreement in matters of detailed administration, there was a substantial agreement on broad questions of policy. It was suggested by the Hon'ble Member that he would like to have definite proposals from the Temperance Federation on all matters in which they desired action on the part of Government. Government are awaiting these proposals and in the meantime the members have promised to keep their resignations in abeyance.

Government are also considering whether it would be practicable to introduce a system of Licensing Board in other municipalities besides the three I have mentioned. This, in the case of the majority of municipalities is a difficult matter owing to the fact that in most of them there is only one excise shop of each kind. The matter is, however, one in which the Government will welcome practical suggestions from members of this House and from temperance organizations.

Mr. Daud referred to the question of location of shops. In this matter, Sir, the Excise Department is always guided by the advice of the Licensing Boards and Advisory Committees.

Government have given full responsibility in Calcutta with regard to this matter to the Licensing Board. The President of the Board

is a non-official gentleman who is also a member of the Calcutta Temperance Federation and the Federation also has two other representatives on the Board. In this Board out of 13 members there is a clear and practically overwhelming non-official majority and if some of the non-officials do not always see eye to eye with the Federation members Government can hardly be blamed for this. Government recognise that there may be honest differences of opinion on the details of excise administration.

I think I have said enough, Sir, to show that Government are very earnest in their desire to make a practical advance in the matter of excise administration and they will welcome practical suggestions as to the solutions of the difficulties involved from members of this House who are interested in the matter. I repeat that apart from the mere mention of local option there has not been any practical scheme of advance yet put before Government. Government do not say that it is the bounden duty of every member to do so but if any one has any suggestion to offer Government will be very glad to give it their earnest consideration.

I think, Sir, that after what I have said the Council will realise the position of Government in this matter. They have declared clearly for temperance. They want to know how they can proceed in a practical manner and it rests with members of the Council to help Government to come to a practical solution. In the meantime Government are doing all they can to reduce consumption. They have found that in the case of *ganja* and opium consumption has gone up. They are doing all they can to stop it by increasing the duty and retail price and reducing the number of shops.

As to the question of a larger advance in the matter of popular control Government are willing to discuss the question with those who will come forward to give their suggestions. Government have, as I have mentioned, had a report submitted to them by the Excise Commissioner dealing with the whole matter which is now under their consideration and it is hoped that Government will get assistance from all responsible quarters in dealing with this difficult matter.

After what I have said, Sir, I hope Mr. Villiers will withdraw his motion.

Mr. PRESIDENT: Do you like to press your amendment Mr. Villiers?

Mr. E. VILLIERS: Yes, Sir, I do.

The motion of Mr. E. Villiers was then put and agreed to.

The motion that a sum of Rs. 23,77,000, as amended in Council, be granted for expenditure under the head "6 Excise" (page 37, Civil Estimate) was then put and agreed to.

7.—Stamps.

The Hon'ble Mr. J. DONALD: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 9,02,000 be granted for expenditure under the head "7—Stamps."

The following motions were called but not moved:—

Babu KHAGENDRA NATH CANGULY: "That the demand of Rs. 3,05,400 under the head '7—Stamps—Charges for the Sale of Stamps (Discount)' (page 43, Civil Estimate) be reduced by Rs. 35,000."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 4,78,400 under the head '7—Non-Judicial Stamps' (page 43, Civil Estimate) be refused."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 4,23,100 under the head '7—Judicial Stamps' (page 43, Civil Estimate) be refused."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 9,02,000 under the head '7—Stamps' (page 43, Civil Estimate) be refused."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 9,02,000 under the head '7—Stamps' (page 43, Civil Estimate) be reduced by Rs. 4,50,800."

Maulvi MD. ABDUL JUBBAR PAHLOWAN: "That the demand of Rs. 9,02,000 under the head '7—Stamps' (page 43, Civil Estimate) be reduced by Rs. 3,00,000."

Babu KHAGENDRA NATH CANGULY: "That the demand of Rs. 9,02,000 under the head '7—Stamps' (page 43, Civil Estimate) be reduced by Rs. 2,00,000."

Maulvi EKRAMUL HUQ: I move that the demand of Rs. 9,02,000 under the head "7—Stamps" be reduced by Rs. 2,000.

In doing so, I would like to congratulate the Hon'ble Mr. Donald for trying to keep all the expenditure under different heads under control for what I find by looking up into his portion of the Budget is this: that he is everywhere trying to see that his expenses do not go above those in previous years. Sir, so far as this demand is concerned, I do hope that he will further try to effect as many cuts as he possibly can, for it is the savings made in the different departments of Government which will be helpful to us in meeting the pressing demands of the country. I would now like to hear what the Hon'ble Mr. Donald has to say on this matter.

The Hon'ble Mr. J. DONALD: Sir, if we are to get more from "Stamps.", we must spend more. There will be larger expenditure for the Stamps and also larger payments for discount. However, Rs. 2,000 is not much of a cut and if the member insists, I will not oppose a reduction. But it is not really worth worrying about.

Maulvi EKRAMUL HUQ: After what I have heard from the Hon'ble Mr. Donald I beg to withdraw my motion.

The motion was then, by leave of the Council, withdrawn.

The motion that a sum of Rs. 9,02,000 be granted for expenditure under the head "7—Stamps" (page 43, Civil Estimate) was then put and agreed to.

8 and 8A—Forests.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: On the recommendation of His Excellency the Governor, I move that a sum of Rs. 10,53,000 be granted for expenditure under the heads "8 and 8A—Forests" (pages 45 and 48, Civil Estimate).

Maulvi EKRAMUL HUQ: Sir, we are rushing on so hurriedly over the different amendments that we hardly get any time to look into the Budget figures. However, Sir, I beg to draw your attention to the fact that very few Muhammadans have been taken in the Judicial Department.

Mr. PRESIDENT: Mr. Huq, will you please move your motion first?

Maulvi EKRAMUL HUQ: I am sorry, Sir, I overlooked it in a hurry. I beg to move that the demand of Rs. 4,31,000 under the head "8A—Conservancy and Works" be reduced by Rs. 56,000.

On a reference to the Budget, Sir, it will be quite plain that the expenses proposed to be met this year are above those which were met in the previous years. It was the duty of the Hon'ble Member to see that he does not make more expenses than what is absolutely necessary. But I am afraid he has not discharged his duty to the best of his might. I would like to hear from him if he is in a position to make the necessary cuts in order to make the necessary savings and after I have heard from him I shall decide as to whether I should proceed with the motion or withdraw it. I would, however, like to request him to see that the claims of the different communities in the country as regards appointment are properly looked into.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: A comparison of the figures in this year's Budget estimates with the figures of previous years is rather difficult because, as has been explained in the Financial Statement, new heads have been opened for showing capital outlay. It will be seen that the Budget estimate for 1926-27 under the sub-heads "Live Stock, Stores, Tools and Plant" and "Organisation, Improvement and Extension of Forests" is less than it has been in past years. This is due to the fact that items classified as capital outlay have been shown under the major head 8A on page 48 of the Budget. On that page the sum of Rs. 1,82,000 includes a considerable amount of new expenditure which will be explained when the motions affecting it are considered; but it may roughly be said that apart from this new expenditure, the only item in which there is a considerable increase of expenditure is the first item, namely, timber and other produce removed from the forests by Government agency. The large increase as compared with 1924-25 and the current year's revised estimate is due to the provision of Rs. 60,000 for *khedda* operations in Chittagong. The necessity of these operations has been pressed upon Government not only by the Forest Officers, who believe that a *khedda* in this area will be profitable, but also by the civil officers, who have reported that the elephants have so increased in number that they are a danger and a nuisance to the people living near the forests. I may mention that the *khedda* operations in Buxa Division this year have been very successful. It is likely that Government's profit from this operation will be Rs. 32,000, I therefore oppose the motion.

The motion of Maulvi Ekramul Huq was then, by leave of this Council, withdrawn.

Babu AMULYA DHONE ADDY: "I beg to move that the demand of Rs. 1,34,950 under the head "8B—Subordinate Forest and Depôt Establishment' be reduced by Rs. 34,100."

I move this amendment not on the ground as stated by my esteemed friend Maulvi Ekramul Huq, but on different grounds altogether. He moved the amendment for the reduction on the ground that sufficient number of Muhammadans have not been appointed.

Mr. PRESIDENT: Order, order. We are not discussing that now. We are discussing "8B."

Babu AMULYA DHONE ADDY: When the Reform Scheme was under consideration, many of the leading representatives of our countrymen had asked that Forest should be one of the Transferred Subjects. The demand has been acceded to in Bombay Presidency where Forest is a Transferred Subject, but in Bengal not only is Forest a Reserved

Subject, but what is worse, expenditure to the extent of Rs. 3,20,000 have been withdrawn from the control of the Council on the pretext that it will be incurred in excluded areas.

It appears from the Budget estimate that there has been an increase of more than Rs. 45,000 over the actuals of 1924-25, in the single item "Subordinate Forest and Depôt Establishment." I do not think we would be justified in making this increment having regard to the fact that the income is not commensurate with additional expenditure. An increase in expenditure in the Department of Forests does not yield proportionate increase of Revenue. So I venture to think that in this year of heavy deficit the proposed total expenditure of Rs. 13,80,000 in the Department of Forest is unjustifiable. Let me give to Council the actual expenditure in the Department of Forest for a number of years.

		Rs.
1915-16	...	5,93,000
1916-17		6,19,000
1917-18	.	7,39,000
1919-20	. .	9,72,000
1925-26 (Revised)		12,55,000
1926-27 (Budget)		13,80,000

From the year 1917-18 the expenditure of Forest is going up by leaps and bounds and the Budget estimate of expenditure for the year 1926-27 is *more than double* the amount of actual expenditure in 1916-17 and I greatly doubt if by this increased expenditure in the Department of Forest the revenue from Forest has also been doubled during these ten years.

So there must be reduction of expenditure in some items under this head.

With these words I beg to commend my motion for reduction to the acceptance of the House.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: The chief cause of the increase in the cost of the Subordinate Forest Establishment is the increase in the number of Rangers and Deputy Rangers together with a slight revision of the rates.

The reason for increasing the number of these officers is that the work in the forests has been steadily growing and if this expansion is to be maintained, more staff must be provided. The Forest Department may rightly claim that increased revenue is likely to result from an increase in expenditure. In 1919-20, when the staff was last revised,

the gross revenue was Rs. 20¼ lakhs and the net revenue Rs. 10¾ lakhs. The revised estimate for the current year shows a gross revenue of Rs. 27 lakhs and a net revenue of Rs. 14¼ lakhs. During this time the work in the plantations has greatly increased, the area of plantation being double of what it was in 1919-20. I therefore oppose the motion.

The motion of Babu Amulya Dhone Addy was then put and lost.

The following motions were called but not moved:—

Maulvi ZANNOOR AHMED: "That the demand of Rs. 2,42,950 under the head '8B—Forest Establishment—Pay of Establishment' (page 46, Civil Estimate) be reduced by Rs. 20,000."

Babu KHAGENDRA NATH GANGULY: "That the demand of Rs. 1,00,000 under the head '8B—B—Establishments—Allowances' (page 46, Civil Estimate) be reduced by Rs. 25,000."

Maulvi ZANNOOR AHMED: "That the demand of Rs. 1,00,000 under the head '8B—Allowance' (page 46, Civil Estimate) be reduced by Rs. 4,000."

Dr. PRAMATHANATH BANERJEA and Babu KHAGENDRA NATH GANGULY: "That the demand of Rs. 4,31,000 under the head '8B—B—Establishments" (page 46, Civil Estimate) be reduced by Rs. 1,00,000."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 4,31,000 under the head '8B—B—Establishments' (page 46, Civil Estimate) be reduced by Rs. 85,000."

Maulvi EKRAMUL HUQ: "I beg to move that the demand of Rs. 4,31,000 under the head '8B—B—Establishments' be reduced by Rs. 47,000."

Just now, Sir, the House has heard that the expenses on Forests have gone up from a small figure to more than double of what it stood 10 years ago. We would have certainly thought that the amount of income from this source should have at least increased 10 or 20 times, but we do not find anything of that sort in the Budget. It is not necessary, Sir, to go 10 years back. By a comparison of the figures which existed in 1924 with the provision made in the budget this year it will be quite plain that there is a difference of Rs. 1 lakh within so short a time as that. Sir, the Hon'ble Member has referred to the appointment of Rangers and Deputy Rangers. We know that in forests the beasts of prey range at night; but we should not allow any human being to range in the forest during day and prey upon the people. There are other means of deriving income from the forests

than by simply incurring heavy expenditure on staff. The whole question should be gone into by the Hon'ble Member and by his advisers in order to find out if there are no other methods, I mean cheaper methods, of managing the forests so as to derive the greatest benefit from that source. Simply appointing persons on high salaries and increasing the pay of the establishment from year to year will not be, and is not, to the interest of the country; neither do the people like that. And it is the duty of the Hon'ble Members for Government, particularly Members who are Indians, to see that the methods adopted by Government conform to the wishes of the country. I think it is the duty of the Hon'ble Member to find out the necessary means to make reductions under these heads. The cut that I have proposed, considering the variation between the figures of 1924 and 1925, is rather small, and I think it will not be very difficult for the Hon'ble Member, if he so desires, to accede to the reduction proposed by me.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: I oppose the motion. The expenditure on establishment necessarily rose with the increase in revenue and expenditure and its justification is that the increase in expenditure has always brought an increase in the net revenue received by Government. It has been found necessary to increase the number of Rangers and Deputy Rangers, especially for the growing work of the plantations. There has also been an increase on account of the cost of establishment required for the private forests in the Dacca and Mymensingh districts, which at the request of the proprietors, has come under Government management. The whole of that cost will be recovered from the revenues of those forests and provision for this has been made on the receipt side of the Budget.

The motion of Maulvi Ekramul Huq was then put and lost.

The following motions were called but not moved:—

Maulvi ASIMUDDIN AHAMAD and SHAH SYED EMDADUL HAQ: "That the demand of Rs. 8,71,000 under the head '8—Forest' (page 45, Civil Estimate) be refused."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 8,71,000 under the head '8—Forest' (page 45, Civil Estimate) be reduced by Rs. 1,00,000."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 8,71,000 under the head '8—Forests' (page 45, Civil Estimate) be reduced by Rs. 70,000."

Babu NALINIRANJAN SARKER, Rai HARENDRANATH CHAUDHURI and Maulvi EKRAMUL HUQ: "That the demand of Rs. 1,82,000 under the head '8A—Forest—Capital Outlay Charged to Revenue' (page 48, Civil Estimate) be refused."

Babu AMULYA DHONE ADDY: "I beg to move that the demand of Rs. 3,36,000 under the head '8A—Forest—Capital Outlay Charged to Revenue' be reduced by Rs. 82,000."

It will appear from the Budget, page 48, that the revised estimate for the current year is Rs. 82,000. It has been proposed to be increased to Rs. 3,30,000 and that this sum has been proposed to be charged to Revenue instead of to Capital Account. In the explanatory notes of the Hon'ble Finance Member under this head, I find that he has stated the reasons of this capital outlay. He says:

In order to maintain and develop forests, new roads and buildings are constantly necessary and such expenditure is remunerative; a provision of Rs. 1,84,470 has been made for the improvement of communications and buildings next year. A sum of Rs. 36,824 has also been provided for the construction of an office building for the Conservator of Forests and the Divisional Forest Officer, Darjeeling.

But I ask the Hon'ble Member to state to what extent is the outlay remunerative? His suggestion is that increased expenditure in the Department of Forests is justifiable on the ground that it will produce satisfactory financial results, but it appears from the figures I stated in my last speech that an increase in expenditure in the Department of Forests does not yield a proportionate increase in Revenue. I suggest that the contemplated construction of an office building for the Conservator of Forest and the Divisional Forest Officer at Darjeeling be postponed for the present in consideration of the present financial stringency of the province and that this sum be rather expended towards the extension of primary education so as to make it compulsory and free.

Mr. PRESIDENT: Order, order. You cannot divert an expenditure from one head to another: that is the rule.

Babu AMULYA DHONE ADDY: Very well, Sir. What is the proposal? It is nothing but to incur thousands of rupees for the construction of buildings for a Forest Officer. That is a work of a permanent nature and, therefore, the cost of construction of such a building should be debited to Capital Account and not to the Revenue Account. Under the provisions of the Calcutta Municipal Act, the cost of execution of works of a permanent nature is debited to Capital Account and not to Revenue Account: it is only the cost of maintenance that is debited to Revenue Account. So it appears that Government is not justified in debiting such a heavy amount to Revenue Account. The proposal is to construct a huge building for the accommodation of European officers of the Forest Department. Sir, with a heavy deficit in the Budget, is the Government justified in incurring such heavy expenditure, not for free primary education or for a better

supply of drinking water in the mufassal but for the construction of buildings for Forest Officers? I submit they are not justified in doing so and I therefore move for this reduction.

Maulvi EKRAMUL HUQ: I rise to support my hon'ble friend and I beg to point out that while the nation lives in cottages it is not right that the servants of the nation should be allowed to live in palaces. It is necessary, of course, for facility of work that they should be allowed to have places of dwelling, but as the project has come before us now it can be safely assumed that it was not thought necessary so long. When money is wanted elsewhere for more urgent needs, it is quite inconceivable to us that the Hon'ble Member for Government should be so disposed as to provide for such a huge sum for raising palaces for Forest Officers, and I think it will not be right for us to pass such an item without protest.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: I will explain briefly how the sum of Rs. 1,82,000 is made up and trust that the Council will be satisfied that the expenditure for which it provides is reasonable. Under this head of "Forest Capital Outlay Charged to Revenue" have been shown such items falling under the head "8A—Conservancy and Works" as may reasonably be regarded as capital expenditure. The sum of Rs. 1,82,000 includes Rs. 13,525 for "Tools and plant", Rs. 1,35,000 for "Communications and Buildings" and Rs. 32,900 for "Organisation, Improvement and Extension of Forests." I have not got the details of the amount required for tools and plant. They are minor amounts within the power of the Conservator of Forests to sanction. This is also the case with the Rs. 32,900 provided for improvement and extension of forests. The money is required for the new plantations which are slowly replacing the blocks of old mixed forest with plantations of valuable timber trees. Of the sum of Rs. 1,35,000, about Rs. 37,000 is required for the Conservator's office in Darjeeling. The present office is far too small for the needs of the Conservator and the Divisional Forest Officer. A site was acquired for a new office some years ago and it is now proposed to build the office. A sum of Rs. 19,800 is provided for the development of certain blocks of forest in the Chittagong Division. It will be spent on constructing roads of 166 miles in length with huts or camping grounds for the use of the staff. The total cost is Rs. 24,800, of which Rs. 5,000 is included under "Organisation, Improvement and Extension of Forests" on page 45. By undertaking this work the Conservator of Forests hopes to secure an additional revenue of about Rs. 20,000.

The rest of the money, about Rs. 78,000, is provided for minor works in different forests which are within the Conservator's power to sanction. In order to maintain and develop the forests new roads

and extension of the existing roads are constantly necessary. As one block of forest is felled, the roads in many cases have to be extended to make the next block available for cutting. A considerable amount is required for the construction of bridges. Huts and rest houses have also to be provided for officers living and touring in the forests, and boats are required in the sundarbans. Wells sometimes have to be provided for water-supply. This work of general development has suffered in recent years owing to the want of money, and it is, therefore, proposed to give a substantial grant this year in order to enable the Conservator to make up arrears of work. It has been estimated that the cost of the small schemes awaiting money is about Rs. 3,36,000. Government propose to allot Rs. 1,84,000 this year of which Rs. 77,770 is voted. It is, however, very desirable that a regular recurring grant should be made for this development work, and I hope that in future years it will be possible to allot a sum of one lakh annually. I therefore oppose the motion.

The motion of Babu Amulya Dhone Addy was then put and a division demanded.

Mr. PRESIDENT: As I am of opinion that the sense of the Council has already been clearly indicated on this question, I direct that the division be taken summarily. Will the members who support the amendment rise in the places?

The following members only having stood up, the motion was declared lost:—

Babu Amulya Dhone Addy.

Maulvi Ekramul Huq.

Maulvi Sayyed Sultan Ali.

Haji Lal Mahammed.

Maulvi Tayebuddin Ahmed.

The motion that a sum of Rs. 10,53,000 be granted for expenditure under the heads "8 and 8A—Forests" was then put and agreed to.

Adjournment.

The Council was then adjourned till 2-30 P.M., on Tuesday, the 16th March, 1926, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

The Council met in the Council Chamber in the Town Hall, Calcutta, on Tuesday, the 16th March, 1926, at 2-30 P.M.

Present.

The Hon'ble the President (Kumar Shib Shekhareswar Ray) in the Chair, the four Hon'ble Members of the Executive Council, and 61 nominated and elected members.

GOVERNMENT BUSINESS.

The Budget of the Government of Bengal for 1926-27.

Demands for Grants.

9—REGISTRATION.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 19,04,000 be granted for expenditure under the head "9—Registration".

The following motions were called but not moved:—

Babu SATYA KISHORE BANERJEE: "That the demand of Rs. 88,000 under the head '9A—Superintendence' (page 50, Civil Estimate) be reduced by Rs. 10,000."

Maulvi ZANNOOR AHMED: "That the demand of Rs. 88,000 under the head '9A—Registration—Superintendence' (page 50, Civil Estimate) be reduced by Rs. 5,000."

Maulvi EKRAMUL HUQ: "That the demand of Rs. 88,000 under the head '9A—Registration—Superintendence' (page 50, Civil Estimate) be reduced by Re. 1."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 7,99,080 under the head '9B—District Charges—Pay of Registrars and Sub-Registrars' (page 52, Civil Estimate) be reduced by Rs. 19,080."

Shah Syed Emdadul Haq spoke in Bengali. The English translation of which is as follows:—

"Sir, I wish to say that the staff of the Registration Department has been ever increasing. Inspite of the Retrenchment Committee's recommendation to reduce the staff nothing has been done. Registration fees have been almost doubled. The public protested against this but no notice was taken of this by Government. Further it would serve no useful purpose to take part in the discussion now that more than half the members have left the House in a body. I think it is useless to come to-day with a motion to trouble myself and the Government."

Mr. PRESIDENT: You should not then have come to the Council at all.

Shah Syed Emdadul Haq then left the Council Chamber.

The following motions were called but not moved:—

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 5,000 under the head '9B—District Charges—Provision for new Sub-Registry Offices' (page 52, Civil Estimate) be refused."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 75,084 under the head '9B—District Charges—Servants' (page 52, Civil Estimate) be reduced by Rs. 15,000."

Babu KHAGENDRA NATH CANGULY: "That the demand of Rs. 8,21,348 under the head '9B- Pay of Establishment' (page 51, Civil Estimate) be reduced by Rs. 50,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 4,000 under the head '9B—District Charges Other Non-Contract Charges' (page 52, Civil Estimate) be reduced by Rs. 2,000."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 18,15,500 under the head '9B—District Charges' (page 51, Civil Estimate) be reduced by Rs. 9,00,000."

Babu SATYA KISHORE BANERJEE: "That the demand of Rs. 18,15,500 under the head '9B—District Charges' (page 51, Civil Estimate) be reduced by Rs. 1,00,000."

Maulvi EKRAMUL HUQ: "That the demand of Rs. 18,15,500 under the head '9B—District Charges' (page 51, Civil Estimate) be reduced by Rs. 28,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 18,15,500 under the head '9B—District Charges—Reserved A' (page 52, Civil Estimate) be reduced by Rs. 10,000."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 19,04,000 under the head '9—Registration' (page 50, Civil Estimate) be refused."

Babu BEJOY KRISHNA BOSE and Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 19,04,000 under the head 'Registration' (page 50, Civil Estimate) be reduced by Re. 1."

The motion that a sum of Rs. 19,04,000 be granted for expenditure under the head "9—Registration" was then put and agreed to.

9A—SCHEDULED TAXES.

The Hon'ble Mr. J. DONALD: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 15,000 be granted for expenditure under the head "9A—Scheduled Taxes" (page 53, Civil Estimate).

Dr. H. W. B. MORENO: Mr. President, may I move the motion standing in the name of Maulvi Ekramul Huq in the absence of the member?

Mr. PRESIDENT: You may move it as your own motion without notice.

The following motion was called but not moved:—

Maulvi EKRAMUL HUQ: "That the demand of Rs. 15,000 under the head '9A—Scheduled Taxes' (page 53, Civil Estimate) be reduced by Rs. 5,000."

Dr. H. W. B. MORENO: I beg to move that the demand of Rs. 15,000 under the head "9A—Scheduled Taxes" (page 53, Civil Estimate) be reduced by Rs. 5,000.

Sir, you will remember what the Hon'ble Member in charge of Finance said when he dealt with the question of scheduled taxes and when I pleaded for the exemption of cinemas and theatres from the iniquitous amusement tax. The Hon'ble Member in reply said that as affecting theatres only the tax would not be levied; it only remained for cinemas and the racecourse to be taxed. We had the original budget grant of Rs. 15,000 for the collection of these taxes, and as the levy of the betting tax and cinema tax only remain—theatres being exempted—there is no reason why the whole amount of Rs. 15,000 for the collection of scheduled taxes should be included in the budget. In view of the fact that the Finance Member has exempted theatres from this amusement tax, I see no reason why he should not accept a cut in this demand inasmuch as there must be less expense in the collection of the taxes. I look forward to the time when this demand will be removed entirely except, perhaps, for what will be

required for the collection of the betting tax. I trust, Sir, that the Hon'ble the Finance Member will see the reasonableness of my proposal and accept my motion.

With these remarks I beg leave to move this motion.

The Hon'ble Mr. J. DONALD: This particular figure of Rs. 15,000 represents a payment to the Turf Club for the collection principally of the betting tax. The expenditure for collecting taxes on cinemas and theatres is nil, so an alteration in the amount from this source will not affect the expenditure at all.

Dr. H. W. B. MORENO: In view of the remarks of the Hon'ble the Finance Member I beg to withdraw my motion.

The motion was then, by leave of the Council, withdrawn.

The motion that a sum of Rs. 15,000 be granted for expenditure under the head "9A—Scheduled Taxes" (page 53, Civil Estimate) was then put and agreed to.

XIII, 15, 16, AND 55—IRRIGATION.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: On the recommendation of His Excellency the Governor I move that a sum of Rs. 38,86,000 be granted for expenditure under the heads XIII, 15, 16 and 55—Irrigation (pages 55, 57 and 58, Civil Estimate).

The following motions were called but not moved:—

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 4,78,000 under the head 'XIII-B' for original works (page 15, Civil Estimate) be reduced by Rs. 20,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 20,000 under the head 'XIII-B—Irrigation' for the construction of office building at Khulna for the Executive Engineer, Khulna Division (page 16, Irrigation Estimate), be reduced by Rs. 10,000."

Maulvi EKRAMUL HUQ: "That the demand of Rs. 19,500 under the head '15—Irrigation -B—Navigation, Embankment and Drainage Works Maintenance and Repairs' (page 8, Irrigation Estimate) be reduced by Rs. 12,000."

Maulvi EKRAMUL HUQ: "That the demand of Rs. 2,89,500 for new works under the head '15—Irrigation—B—Navigation, Embankment and Drainage Works' (page 9, Irrigation Estimate) be refused."

Babu AMULYA DHONE ADDY: I beg to move that the demand of Rs. 13,85,000 under the head "15B—Navigation, Embankment and Drainage Works—Works for which neither Capital nor Revenue Accounts are kept" (page 32, Budget Estimate) be reduced by Rs. 3,94,000.

We have a statement of new works and works in progress for which this sum has been provided in the budget on page 88. From this it appears that we are going to commit ourselves to a scheme costing Rs. 2,79 lakhs, namely, the Grand Trunk Canal. I admit that only Rs. 16,000 has been provided in the Revenue budget, but I strongly object to this scheme itself. Two or three years ago when there was a question on this subject in this Council, the Hon'ble Maharajadhiraja Bahadur of Burdwan, who was in charge of this department, was pleased to state that the project, as soon as it was sanctioned by the Secretary of State, would be placed before this Council for their consideration. I am sorry to find that nothing has been done so far as this project is concerned; on the contrary we find that a provision of Rs. 16,000 has been made in the Revenue budget in connection with this scheme. As regards the utility of this scheme, I will come to that afterwards, but what I submit is this, that these works are works of a permanent nature and the cost should be met, not from the Revenue Fund, but from the Loan Fund.

Take the case, Sir, of the Damodar Canal Project. The estimate for this is Rs. 78,44,000. I thank the Hon'ble Member in charge for having sanctioned this project and for his assurance that the work will be taken in hand as early as possible. In this scheme also the cost should be met from a Loan Fund. On the contrary, we find that there is a provision of Rs. 3,38,000 in the Revenue budget in connection with this scheme.

Similarly for the construction of locks and sluices on the Madaripur Bil Route; the total estimate is Rs. 6,48,000 and there is a provision of Rs. 2,40,000 in this year's budget. For the improvement of the Gobra Khal, the total estimate is Rs. 3,32,000, but the provision in the budget is one lakh.

This is the reason why there is a deficit in the budget. These amounts ought to be debited to the Capital account, and not to the Revenue Fund. There would have been a surplus and we would have been in a position to reduce our taxation, had this been done. We know that hardship is caused to the poor raiyats in connection with stamps, the rate for which has been increased by 50 per cent., and court fees also increased by 50 per cent. The time has come when we should reduce these taxes. The other day we got the report of the Indian Taxation Enquiry Committee, and it appears from that report that they are in favour of

reducing certain taxes on stamps. My suggestion, therefore, is that we should not incur this expenditure from Revenue Fund, but do so from Loan Funds.

As regards the scheme to which I have objected, viz., the Grand Trunk Canal Project—though the estimate is Rs. 2,79 lakhs I am of opinion that the actual expenditure will be much more than that because we have had similar experience of the estimates prepared by experts. We know that in the case of the estimate for the reconstruction of the Kidderpore Bridge, the estimate was Rs. 8 lakhs, but the actual expenditure incurred was about Rs. 12 lakhs; then similarly in the case of the erection of buildings in Delhi the original estimate was 6 crores and though 14 crores have already been spent still the construction of buildings has not been completed.

Now in connection with this Grand Trunk Canal scheme, it has been stated that the rivers in the Sunderbans are in a deplorable condition, and unless the work is taken up at an early date there will be no steamer traffic in the Sunderbans in the district of the 24-Parganas and Khulna. The Government report is that out of 42 miles only 5 miles is in a bad condition. It is stated that this has been repaired from time to time and is not a success. I would draw attention to the fact that Rs. 53,000 has been spent for repairs of this portion of the khal in the year 1912-13, but after that, for a period of six years, not a single farthing has been spent for the improvement of the khal; then during 1918 to 1925, Rs. 3,11,000 has been spent. Had this portion of the river been properly maintained by Government from year to year, the condition of this river would not have been in the deplorable condition as alleged by Government. I, therefore, submit that this scheme is quite unnecessary and should not be debited to Revenue account.

It has been stated that it will be a productive work. I say that it will be unproductive; it has been stated that it will yield an income of 13 per cent. per annum, but I say that it will be a source of serious loss to Government. At present in competition with railway traffic the rate of freight of goods, say, in the case of rice by steamers, is more than that in the case of railways. The rate from Calcutta to Goalundo by steamer is 3 as. 11 p. per maund, while in the case of the railway it is 2 as. 4 p. per maund. In a few years with the further expansion of railways connecting Calcutta with Eastern Bengal, the said project will be a source of serious loss to Government, and not income as alleged. I have a letter from the Agent of the Eastern Bengal Railway to the effect that after the extension of the railway between Calcutta and Eastern Bengal this scheme will not be necessary at all. Further, from a report of the Sanitary Commissioner of Bengal, we find that the sanitary condition of the locality through which this canal will pass will be worse than what it is now. We

have sad experience in the case of the Belliaghatta Canal. The locality through which it passes, owing to the stagnation of the water, is very insanitary. I do not object to any scheme whatever in the budget with the exception of the Grand Trunk Canal. My contention is that as they are works of a permanent nature we should not commit ourselves and provide money from the Revenue Fund. Our grandchildren will reap the benefit of these projects, so the cost ought to be debited to Capital account. With these remarks I beg to move my amendment.

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur of Nadia): Sir, the item of Rs. 13,85,000 is the total demand under 15 B—Irrigation. The proposed reduction of Rs. 3,94,000 is the total for new works and works in progress, the details of which will be found on page 88 of the red book. This item includes those under motion 175. These are very necessary works. In regard to works in progress, out of the eight items, three are in connection with flood remedial measures, one with flood protection, and one is a provision for survey. The rest are small items.

Babu Amulya Dhone Addy has raised the question of the Grand Trunk Canal. I must at once say that there is no provision for it in the budget. The only item of Rs. 16,000, which has been provided, is mainly for the upkeep of the dredger and for the works which have already been constructed. So he need not worry much about the Grand Trunk Canal Project. If Amulya Babu had carefully studied the budget he would, I am sure, not have raised this point.

As regards the upkeep of the works in connection with the Damodar Canal, if he had read the speech of the Hon'ble the Finance Member much criticism would have been avoided. My Hon'ble colleague in charge of Finance has already explained that this amount is to be spent from loans.

As regards the Madaripur Bil Route the whole of the bil was excavated out of the provincial revenues, and I do not see why the expenditure for these locks and sluices will not be met from that source. These sluices will not give us any return, and I do not think that we should be justified to incur loans for works which will not give us any return. I think, therefore, that it is proper to take up works of this nature and finance them from our balances.

Mr. Addy has attacked the Irrigation Department in regard to the Kidderpore Bridge. He says that there has been a large excess of actual expenditure over the estimates in the construction of this bridge. I do not deny that there has been an excess. But, Sir, this was partly due to the exchange which was high at the time, and the prices were very high and fluctuating during the war, and therefore

the estimates could not be correctly made at the time. This is the explanation.

As regards the Sunderbans, to which Mr. Addy refers, I would advise him to look personally into the matter and tour through the tracts. I personally went round the Sunderbans with the Chief Engineer and am satisfied that some of the tracts are in a critical condition.

As regards the Gobra Nala, I think, when we have got our balance, we should pay from our balances instead of adding to our recurring charges. That is why it has been included in the budget this year. It is a scheme for the improvement of the health of the locality and I am sure you will agree that it is a very desirable work and Government should take it up. I oppose the motion.

The motion of Babu Amulya Dhone Addy was then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

Babu TARAKNATH MUKERJEA: "That the demand of Rs. 15,01,000 under the head '15—Irrigation Other Revenue Expenditure financed from Ordinary Revenue' (page 55, Civil Estimate) be reduced by Re. 1."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 31,20,000 under the head '15—Other Revenue Expenditure financed from Ordinary Revenue—Irrigation' (page 55, Civil Estimate) be reduced by Re. 1."

Mr. D. N. ROY: "That the demand of Rs. 2,77,000 under the head '16—Construction of Irrigation, Navigation, Embankment and Drainage Works—B—Financed from Ordinary Revenue' (page 57, Civil Estimate) be refused."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 2,77,000 under the head '16—Construction of Irrigation, etc., Works' (page 57, Civil Estimate) be reduced by Rs. 2,40,000."'

Babu TARAKNATH MUKERJEA: "That the demand of Rs. 2,77,000 under the head '16—Irrigation, Navigation, Embankment and Drainage Works' (page 57, Civil Estimate) be reduced by Re. 1."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 25,000 under the head '55—Construction of Irrigation, Navigation, Embankment and Drainage Works—Sub-head B—Navigation, Embankment and Drainage Works (Productive)' (page 58, Civil Estimate) be refused."

Mr. D. N. ROY: "That the demand of Rs. 4,89,000 under the head '55.—Construction of Irrigation, Navigation, Embankment and Drainage Works (Reserved)' (page 58, Civil Estimate) be refused."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs 4,89,000 under the head '55 Irrigation' (page 58, Civil Estimate) be reduced by Re. 1."

The motion that a sum of Rs. 38,86,000 be granted for expenditure under the heads "XIII, 15, 16 and 55 Irrigation" was then put and agreed to.

22 -GENERAL ADMINISTRATION.

The Hon'ble Sir HUGH STEPHENSON: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 95,47,000 be granted for expenditure under the head "22 -General Administration" (page 61, Civil Estimate).

The following motions were called but not moved:

Babu HEM CHANDRA NASKER: "That the demand of Rs. 7,193 under the head '22A Military Secretary Renewal of Furniture and Carpets' (page 63, Civil Estimate) be refused"

Maulvi WAHED HOSSAIN: "That the demand of Rs. 7,193 under the head '22A Staff and Household of the Governor Renewal of Furniture and Carpets' (page 63, Civil Estimate) be reduced by Rs. 4,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 12,000 under the head '22A- Military Secretary Custom duty on imported stores' (page 63, Civil Estimate) be refused."

Babu AMULYA DHONE ADDY: "That the demand of Rs. 12,000 under the head '22A Military Secretary Custom duty on imported stores' (page 63, Civil Estimate) be reduced by Rs. 6,000.

Maulvi WAHED HOSSAIN: "That the demand of Rs. 10,496 under the head '22A Staff and Household of the Governor--Furniture and Carpets' (page 63, Civil Estimate) be refused."

Babu HEM CHANDRA NASKER: "That the demand of Rs. 21,040 under the head '22A—Staff and Household of the Governor—Military Secretary -Other equipment' (page 63, Civil Estimate) be refused."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 5,000 under the head '22A—Military Secretary—Lump provision for increase of annual maintenance grant' (page 63, Civil Estimate) be refused."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 73,200 under the head '22A - Military Secretary—Water-rates and tax on public vehicles and servants' (page 63, Civil Estimate) be reduced by Rs. 5,000."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 2,500 under the head '22A Staff and Household of the Governor—Surgeon to His Excellency the Governor Medicine and other hospital requirements' (page 64, Civil Estimate) be reduced by Rs. 1,500."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 2,500 under the head '22A Surgeon to His Excellency the Governor—Medicine and other hospital requirements' (page 64, Civil Estimate) be reduced by Rs. 900."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 14,000 under the head '22A Surgeon to His Excellency the Governor' (page 64, Civil Estimate) be reduced by Rs. 3,160."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 65,500 under the head '22A Band Establishment Establishment and Allowances' (page 64, Civil Estimate) be refused."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 65,500 under the head '22A Band Establishment Establishment and Allowances' (page 64, Civil Estimate) be reduced by Rs. 13,000."

Dr. H. W. B. MORENO: I beg to move that the demand of Rs. 65,500 under the head "22A—Band Establishment Establishment and Allowances" (page 64, Civil Estimate) be reduced by Rs. 13,000.

These are days of economy and it is our endeavour always to cut down as far as possible expenses, in order to provide for the more urgent demands of the country. Now, here we have the Band Establishment of His Excellency costing Rs. 65,500 a year. I propose to cut only Rs. 13,000 of his demand because I hold, Sir, that the Band can be very efficiently carried on with this reduced amount. I realise and appreciate the use of the Band, more especially as recently the Band has been allowed to play for the benefit of the people on certain days in the week, in the Eden Gardens, now that the Town Band is no more. At the same time I think, Sir, some sort of economy should be effected in this direction. You will remember, last year we had a very heated discussion on this very question, for there was then a good deal of bias displayed. I do not move this cut, however, with any bias in my mind, I move it purely on the ground of economy. If the Hon'ble Member can tell us that it is impossible to secure cheaper musicians who would be as efficient as those now employed I would refer him to the members of my community, some of whose grandfathers hailed from

countries that have produced the best musicians, I allude to Spain, Portugal and Italy. He will then soon realise that the present expensive members of the Band can be very easily substituted. I feel sure, Sir, that if we had more and more indigenous musicians playing for His Excellency the Governor, it would be a very good thing and would help in encouraging indigenous effort. Anglo-Indians as musicians would be very proud to play under the patronage of His Excellency.

The Government of India recently passed a resolution that Government should encourage indigenous manufactures. There is available here in the country sufficient talent to supply members for the Governor's Band. I think it is right and proper then, that Government should look in this direction and encourage, by patronage, the members of my community who pay as well and as efficiently as the members of any other community. On the ground of economy I feel sure that if this cut were made and on that account the Government had difficulty in securing adequate talent, they could well turn to the members of my community who would be glad and proud to play in the Band of His Excellency's household. With these remarks I beg leave to propose a reduction in this grant.

Babu AMULYA DHONE ADDY: I beg to move that the demand of Rs. 65,500 under the head "22A—Band Establishment—Establishment and Allowances" be reduced by Rs. 4,000.

It will appear that my suggestion is a very moderate one. My esteemed friend, Dr. Moreno, has suggested a reduction of Rs. 13,000, while I suggest a reduction of Rs. 4,000 only. I admit, Sir, that to keep up the dignity of His Excellency the Governor, who is the representative of our beloved Sovereign in Bengal, there should be a band, but at the same time, having regard to the deficit budget and also having regard to the poverty of the people, it is most desirable that His Excellency will be pleased to set an example to the officers of the Government by reducing the expenditure on the Band Establishment. I find from the Civil budget estimate of the Madras Government that the demand for the Band Establishment for His Excellency the Governor of Madras was Rs. 34,000 and the actuals for the year 1924-25 were Rs. 32,000. If that be practicable in Madras, Sir, I fail to understand as to why it is necessary to have a Band Establishment in Bengal at a cost of Rs. 65,500. I also find that there is no such establishment in the Punjab, the United Provinces and Bihar and Orissa—of course I am open to correction by the Hon'ble Member in charge. If it is possible to keep up the dignity of Their Excellencies the Governors of the Punjab, the United Provinces and of Bihar without a Band Establishment, may I ask as to why it is absolutely necessary to have a Band Establishment in Calcutta? It also appears that this band is necessary only from time to time, and I think His Excellency

the Governor will be well advised if, instead of retaining this establishment at a cost of Rs. 65,000 he be pleased to hire an efficient band as occasions require. This would reduce the expenditure to a great extent and would also keep up his dignity as the representative of His Majesty the Emperor of India.

The following motions were called but were not moved:—

Babu HEMANTA KUMAR SARKAR and Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 70,000 under the head '22A—Staff and Household of the Governor—Band Establishment' (page 64, Civil Estimate) be refused."

Babu KHAGENDRA NATH GANGULY: "That the demand of Rs. 70,000 under the head '22A—Staff and Household of the Governor—Band Establishment' (page 64, Civil Estimate) be reduced by Rs. 45,000."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 70,000 for expenditure under the head '22A—Band Establishment' (page 64, Civil Estimate) be reduced by Rs. 42,000."

The Hon'ble Sir HUGH STEPHENSON: This is an old question which I hoped would not reappear this year. Babu Amulya Dhone Addy represents himself as moving a cut of only Rs. 4,000 and then proceeds to deliver a speech——

Mr. PRESIDENT: Please may I interrupt you for a moment. I would just ask Maulvi Tayebuddin Ahmed to move the motion standing in his name.

Maulvi TAYEBUDDIN AHMED: I do not move, Sir.

The Hon'ble Sir HUGH STEPHENSON: He moves a modest cut of Rs. 4,000 and then proceeds to deliver a long speech suggesting the band should be done away with altogether. He says that in the Punjab, United Provinces and Bihar they do not have a Band Establishment, and why? The answer is that these places are not Calcutta. If it is admitted that a band is necessary for the upkeep of the dignity of the Governor in Calcutta it is no use grudging the necessary expenses and comparing them with the expenses that may be necessary in the Punjab or in Bihar.

Then, Sir, he has dwelt once more on the deficit budget. We have heard of the deficit budget over and over again in spite of the fact that the Finance Member has said most clearly in his Financial Statement that it is not a deficit budget. What we are doing, the reason why we are spending Rs. 20 lakhs more than our income, is that we are drawing upon our balances for works which are properly debitable to those balances.

Then Dr. Moreno asks for a cut of Rs. 13,000. I went into this question last year. I showed that His Excellency had already set the example that Babu Amulya Dhone Addy now invites him to show. In the budget of 1923 we cut the band by Rs. 12,000; in the budget of last year we cut the band by another 12,000, that is an example of economy. Last year it will be remembered the House made a cut of something like Rs. 40,000 in the band and I then explained in August last when putting the matter again before the House that you have got to make your choice; either you have got to keep the same type of band as we have got now or if you are not prepared to do this you must reduce the band to a small collection of musicians but you can never make a cut out of the provision for the band and expect that the band will remain exactly what it was. The band consists of enlisted soldiers; therefore there is no possibility, as Dr. Moreno says, of cutting down their pay. They have got to be paid their army pay. The band used to consist of 28 musicians. Last year the House made a cut and I went very carefully into the matter with the Military Secretary to His Excellency and we came to the definite conclusion that in order to maintain a band of the same character we could not do with less than a director and 20 musicians. Anybody who knows anything about a band will tell you that if you keep a band you must have a definite number of bandsmen; if you go below a certain number you are not keeping a band, you are keeping a collection of instruments merely, and we carefully worked out and found that Rs. 70,000 per annum was the lowest on which we can keep up a band. If you remember, when I came before the House in August and put it to the House as to whether it would be prepared to give His Excellency a band or whether it considered that a small collection of musicians would be sufficient, this House decided that His Excellency should have a band. If that is the decision of the House then it is impossible to reduce this provision any further that it has already been reduced under His Excellency's own instructions. Therefore I will ask the House to pass this provision for a Band Establishment.

The motion of Dr. H. W. B. Moreno was then put and lost.

The motion of Babu Amulya Dhone Addy was then put and lost.

The following motion standing in the name of Maulvi Tayebuddin Ahmed was not moved:—

"That the demand of Rs. 70,000 under the head '22A—Staff and Household of the Governor—Band Establishment' be reduced by Rs. 40,000."

The following motions were called but not moved:—

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 70,000 under the head '22A—Band Establishment' (page 64, Civil Estimate) be reduced by Rs. 30,000."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 1,12,000 under the head '22A—Body-Guard Establishment' (page 65, Civil Estimate) be refused."

Babu HEMANTA KUMAR SARKAR: "That the demand of Rs. 1,12,000 under the head '22A- Staff and Household of the Governor—Body-Guard Establishment' (page 65, Civil Estimate) be refused."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 1,12,000 under the head '22A—Body-Guard Establishment' (page 65, Civil Estimate) be reduced by Rs. 62,000."

Babu KHAGENDRA NATH GANGULY: "That the demand of Rs. 1,12,000 under the head '22A- Staff and Household of the Governor- Body-Guard Establishment' (page 65, Civil Estimate) be reduced by Rs. 50,000."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 1,12,000 for expenditure under the head '22A—Body-Guard Establishment' (page 65, Civil Estimate) be reduced by Rs. 30,000."

Babu AMULYA DHONE ADDY: I beg to move that the demand of Rs. 1,12,000 under the head "22A—Body-Guard Establishment" be reduced by Rs. 1,000.

It will appear from the budget that the provision for the revised estimate of the current year was Rs. 1,11,000 and in the budget of the ensuing year it has been proposed to increase it by Rs. 1,000. What I suggest is that this additional amount of Rs. 1,000 may not be sanctioned; that is to say, that the cost of the body-guard as it is should only be retained. In this connection I would draw your attention to the report of the Retrenchment Committee—paragraph 49—"that the expenditure on the Body-Guard Establishment amounts to Rs. 1,20,000. Apart from sentry duty at Government House the body-guards are used on two ceremonial occasions in the year. We consider that this expenditure is avoidable". Sir, it appears that it is only on two ceremonial occasions in the year that the body-guard is necessary, and the question is whether we should commit ourselves to an expenditure of Rs. 1,12,000 for ceremonial occasions not every day, not every month, but only for two occasions in the year, and as I make a very modest suggestion I hope and trust that the Hon'ble Member in charge will be pleased to accept it.

In another connection the Hon'ble Sir Hugh Stephenson has been pleased to observe that the budget of the current year is not a deficit one. I admit that there is a closing balance of about 2 crores of rupees, but as regards the Revenue budget it is a deficit budget, because it appears that the recurring expenditure is more than the recurring revenue by Rs. 32

lakhs. If it is said that we have a closing balance of about 2 crores and so the budget is not a deficit one, then may I ask why you do not suggest a reduction of tax? But, Sir, it must not be presumed from what I say on this motion that I want to lower the dignity of His Excellency the Governor of Bengal. On the contrary I make a suggestion which appears to be a practicable one. Instead of retaining this establishment at a cost of Rs. 1,12,000 per annum I suggest that the services of the Calcutta University Corps may be utilised for the purpose. The University Corps consist of educated gentlemen of Bengal. They are loyal and I think they will regard themselves as honoured—(A voice: Can they ride?)—Yes, some of them can. I say Sir that they will regard themsleves as honoured if their services are utilised for this purpose. My suggestion is a practical one, and if Government be pleased to accept it, I think the whole of Bengal will regard itself as honoured and at the same time we shall be in a position to reduce the expenditure under this head.

The Hon'ble Sir HUGH STEPHENSON: Babu Amulya Dhone Addy, while moving for a small cut, has asked for the abolition of the whole staff. As regards his speech concerning the deficit budget I give it up in despair and ask him to go and talk to the Finance Secretary to the Government

Now, Sir, the whole reason of bringing in this motion is that there is an increase of Rs. 1,000 on this head in the next year's budget. The House will remember, I think, that in 1923 His Excellency very considerably decreased the grant for the body-guard and we have jealously kept the figures fixed by His Excellency On the present occasion, however, the Government of India have fixed certain pay for the Commandants and the Adjutants of the Body-Guards throughout India and their pay varies according as they are married men or not. One of these officers is a married man and the other may for all I know be married shortly and this new charge has been put upon us by the orders of the Government of India We have accordingly made this provision in order to meet the case of the officers who are married men. That is Sir, the whole explanation There is no increase in the ordinary charges for the Body-Guard Establishment—it is simply an increase granted by the Government of India to certain officers all through the Army if they are married men.

On the motion being put, a division was claimed by Babu Amulya Dhone Addy.

Mr. PRESIDENT: I direct that a summary division be taken, and would ask the members who challenge my decision to rise in their places.

Babu AMULYA DHONE ADDY: I do not challenge your decision.

Mr. PRESIDENT: Then, why did you ask for a division.

Babu AMULYA DHONE ADDY: I simply asked for a division.

Mr. PRESIDENT: That means that you challenged my decision.

Babu AMULYA DHONE ADDY: I asked for a division and it might be taken in the lobbies or here.

Mr. PRESIDENT: I direct that a summary division be taken. Will those members who are in favour of this amendment please rise in their places?

The following members rose in their places:—

Babu Amulya Dhone Addy, Maulvi Sayyed Sultan Ali, Maulvi Tayebuddin Ahmed, Haji Lal Mahammed, Maulvi Ekramul Huq and Babu Nagendra Narayan Ray.

The motion was lost.

The following motions were called but not moved:—

Babu TARAKNATH MUKERJEA: "That the demand of Rs. 1,12,000 under the head '22A—General Administration—Body-Guard Establishment' (page 65, Civil Estimate) be reduced by Re. 1."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 4,35,500 under the head '22A—General Administration—Staff and Household of the Governor' (page 62, Civil Estimate) be refused."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 4,35,500 under the head '22A—Staff and Household of the Governor' (page 61, Civil Estimate) be reduced by Rs. 2,20,200."

Babu KHAGENDRA NATH CANGULY: "That the demand of Rs. 4,35,500 under the head '22A—Staff and Household of the Governor' (page 61, Civil Estimate) be reduced by Rs. 1,40,000."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 4,35,500 under the head '22A—Staff and Household of the Governor' (page 62, Civil Estimate) be reduced by Rs. 1,00,000."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 1,15,000 under the head '22C—Tour Expenses' (page 65, Civil Estimate) be reduced by Rs. 1,00,000."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 1,15,000 under the head '22C—Tour Expenses' (page 65, Civil Estimate) be reduced by Rs. 35,000."

Babu KHAGENDRA NATH GANGULY: "That the demand of Rs. 1,15,000 under the head '22C—Tour Expenses' (page 65, Civil Estimate) be reduced by Rs. 30,000."

Babu TARAKNATH MUKERJEA: "That the demand of Rs. 1,15,000 under the head '22C—General Administration—Tour Expenses' (page 65, Civil Estimate) be reduced by Re. 1."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 19,500 for expenditure under the head '22D—Executive Council—Travelling Allowance' (page 66, Civil Estimate) be reduced by Rs. 9,500."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 12,000 for expenditure under the head '22D—Executive Council—Miscellaneous' (page 66, Civil Estimate) be reduced by Rs. 8,000."

Babu NALINIRANJAN SARKER and Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 36,000 under the head '22D—Executive Council' (page 66, Civil Estimate) be refused."

Maulvi EKRAMUL HUQ: I beg to move that the demand of Rs. 36,000 under the head "22D Executive Council" (page 66, Civil Estimate) be refused.

At the outset, Sir, I would like to clear my position, so far as this amendment is concerned, I do not mean to give a cut to the travelling expenses of the Hon'ble Members and deprive them of the opportunity of going to the hills after arduous work in the plains, where they can enjoy salubrious climate and possibly work harder for the welfare of the country (Question'). What I mean, Sir, is this: I raise the constitutional question that a Royal Commission should be immediately appointed to enquire into the working of the Reforms and to recommend for the conferment of greater rights, greater powers, and greater privileges to the people of this country. Sir, this is not a new question to this House. On occasions previous to this and as far back as 1921 when discussing the then political situation in the country I had the honour of placing before the House the necessity for the granting of *swaraj;* and, Sir, while hoping that better results would come from the talk of a round table conference that was in the air at that time, I observed as follows:—

"We are grateful to His Excellency the Viceroy for agreeing to have a round table conference as proposed by Pandit Madan Mohan Malaviya. In conclusion I shall humbly beg the Government to pause, to reflect and to decide and let our fervent prayers be that the decision for its transparent honesty, for its greatness and nobility of conception, will be the herald of peace and good-will in the land and in the eyes of the world will make England greater, grander and nobler than it has ever been in the past."

So, Sir, this is not a new thing which we are discussing to-day and we hope that we shall have the Royal Commission immediately. Unfortunately, Sir, the time when that demand was made was the time when non-co-operation was stalking in the land. That was the time when the multitudes fired by the harangues of agitators were making bonfire of foreign clothes, that was the time when pliable and enthusiastic youths thought or were made to think that by leaving schools and colleges and by eschewing knowledge and remaining forever steeped in ignorance they might be serving the best interests of the country, that was the time when thoughtless persons by their thoughtless acts very nearly brought chaos in the country and, Sir, that was the time when non-co-operators had pointed a pistol at the breast of Government in the shape of threats of paralysing the Government and making Government impossible by mass civil disobedience and called upon them either to agree to the demand or quit the country. That being so, we could have hardly expected Government to be taken like a meek lamb to the slaughter house. Under the circumstances prevailing then, an impartial Judge would not accuse Government of utter indifference to the aspirations of my country for whatever concessions have been made, would have been considered in many quarters to be the outcome of fear and not to have proceeded from a general desire of a sympathetic Government to help the people forward in the attainment of *swaraj*. It is true that even at that time the different Councils of the country had worked steadily and worked well, and high encomiums were showered upon them by eminent personages and the then ruler of our province Lord Ronaldshay, whose picture is hanging by my side, was not slow to express his high appreciation of the work done by the Bengal Legislative Council. But inspite of this advantage on our side the whirlwind of abuses and threats that were hurled at Government did not make them to revise their attitude. It is unfortunate that even when signs of conciliation were manifested by Government, even when Government were willing to hear the counsels of the leaders of the agitation, the leaders themselves, for want of a clear political insight, mistook the attitude as one of utter helplessness and thought they would humble down the Government of the country. The wrong step taken by the leaders of the agitation has dogged our footsteps and instead of getting the Royal Commission which we ought to have got earlier, we have again and again to pray for it. But let us hope that inspite of what has been said elsewhere, we shall have the Royal Commission immediately to revise the Government of India Act. It may be said by those who do not consider the time opportune for further Reforms, that not only agitation has not ceased but that another pistol has been levelled at the breast of Government who have been told that in the next Council the wreckers will come in larger numbers and not only wreck the Council but break the Government by civil disobedience. Let me assure those gentlemen and among whom may be counted some of the

European members of this House that this blank pistol ought not to terrify anybody—much less the Government—the Government which is broad based on the good-will of the people. Let Government do such acts as do not shake that solid foundation. Let Government know from the accredited representatives of the people that the masses are as much averse to chaos and disorder as are their servants, the Government, and that the master would help in the maintenance of peace and order in the land. If there was any stir over the wild talks of the agitators, it was because only one side of the shield was visible to the persons affected. Whether Government acceded to our request or not we assure Government that we, who co-operate with them, have been showing and will show the other side of the shield and the real truth is dawning upon the victims of misrepresentation. The heart of the people is in the right place and none should have any misgivings about that. The situation which obtained years ago has changed since then for the better. The doctrine of non-co-operation does not sway the minds of the people. The fact that the Swaraj Party here and elsewhere broke away from their group is a clear indication that that movement has followed the course of the bonfire of foreign clothes and the Swaraj Party itself is following that course and before long the Swarajists will publicly burn the policy of wholesale obstruction in mid-street. It is feared by some that if Government agree to the appointment of a Royal Commission now that the Swarajists have walked out of the Council and hurled wild and whirling threats of hostility and obstruction, they will proclaim to the world that it was their action that has brought Government on their knees. Even in 1929 when you will happen to give self-government in the country that party would say that you wanted to give nothing, but as they were exposing you, threatening you, and were about to make you extinct by secret societies, by conspiracies, that you were compelled to give real powers to the country. In order to save their faces they cannot but say that the credit for *swaraj* belongs to the non-co-operators and to themselves and simply because these blasters will try to take credit for an act of grace, good-will and justice done by you, will you not do it? I earnestly hope that Government will not adopt such an attitude as that. All of us who are co-operating with Government do treat the Swarajists' boast with the contempt it deserves, because we know that our countrymen are not so pig-headed as not to be deeply grateful to Government for their honest desire to uplift the country and to us co-operators, for discharging our duties most ardently and most sincerely. Sir Provash Chunder Mitter once said in this hall that you care more for the Swarajists and non-co-operators than you do for the co-operators, both Hindus and Muhammadans. Pray, be not guilty of such a charge. I earnestly appeal to you to do the right thing by appointing a Royal Commission and I assure you that the whole country will be yours and the blasters will vanish into thin air.

I hope, Sir, that Government and the European members will permit me to say one thing in this connection. The people of this country will always cherish them with love and gratitude. To the one we owe peace and security and much in the shape of advances made by us in the different directions to our daily life, and to the other we extend our hand of fellowship and brotherhood. I think Dr. Moreno and Professor Mukerji have no misgivings from the people of this country and they will also support the appointment of a Royal Commission. Other minorities, however small they may be in number, may rest assured that the more India advances towards freedom the more free and frank it will be in the recognition of the rights of the other people inhabiting this country. To conclude I would humbly and respectfully appeal to Government not to hesitate, not to falter, but to take immediate steps to appoint a Royal Commission to revise the Government of India Act.

Dr. H. W. B. MORENO: I think I should most heartily congratulate Maulvi Ekramul Huq for his masterly speech in this House this afternoon. Although it is not strictly relevant to the point at issue I congratulate him for his breadth of view and for his far-sighted vision. I may assure him that we, as members of a community born and domiciled in India, are at one with the great purpose for securing *swaraj* by all possible constitutional means, at the earliest possible moment. But we cannot and will not stoop to unworthy means to attain it. "Loyalty has been the badge of all our tribe." We would like to assure the Government that in all their anxious solicitude for the welfare of so many peoples of this land, we as a minority, as children of the soil and as a sister community in this land of so many tongues so many creeds, have always appreciated their honest endeavours. Though we may be in a minority, and may suffer at times in the hands of other greater communities, we will not yield an inch in anything which is liable to take us away from what we consider to be our duty towards the Government in their work to help the people in their onward march and progress. At the same time I should like to make it very clear that the community is not a slavish community ready, through its representatives, to record its vote in favour of Government without any independent thinking. As a very humble representative of the community I can say that I always reserve to myself the right of judging things from my own point of view. I speak here as the representative of a minority and I trust that Government will feel that we Anglo-Indians are as anxious for the appointment of the Royal Commission and for the coming of *swaraj* as any other community is in India; and we would assure the Government that we shall do all in our power by loyal co-operation to bring about the fruition of this, our heart's desire. We deprecate the attempts that have been made to wreck this hopeful outlook by means of threat or by obstruction; and although I have sometimes come in for very hot criticism in the organs

of the opposite side I have maintained my trust and confidence in the Government and I know that in this I have the hearty co-operation of my community. At the same time I should like to assure Government that there is a limit to loyalty, there is a limit even to co-operation; and Government should realise that although others may be more vocal in their desires there are others more numerous, the bulk of the people, keen to do everything in their power, by co-operation, to bring about a better state of things in India. Government should take the bulk of Indian opinion as found in the masses who are, I am proud to say, all for co-operation, provided always that India does get her rightful demands and her legitimate desires are fulfilled. I would appeal, therefore, to the Government as the representative of a minority in this Council,—but a minority of some dimension and therefore worthy of some respect,—that it should lend their ear to the voice of the community that has stood loyally by Government in all times of stress and strain; and that they should see they do not refuse our demands because of our loyalty and because of our desire to co-operate—demands which after all are the right and legitimate right of every child of the soil, the right to be free. Sir, this is the cry of every freedom-loving man's heart—it is the desire of every honest person that India should get *swaraj* and that Government should not swerve from its onward path and that they should heed the voice of co-operation and see that this Royal Commission is appointed. Thereby they will earn the lasting gratitude of the bulk of the people of India, who are doing all they can, by constitutional means, to make India an equal partner in the great British Commonwealth.

Sir PROVASH CHUNDER MITTER: In moving this amendment my hon'ble friend, Maulvi Ekramul Huq, has raised a question of great importance. I appreciate that the Bengal Government may not be in a position to give effect to the demand put forward by Mr. Huq. At the same time, Sir, we want to convey to our Government and through that Government to the Government of India and the British Parliament the opinion of the co-operating section of this House, and representing the party that I do in this House I desire to say that we want provincial autonomy—we want an enquiry by a Royal Commission at the earliest possible time. Under present conditions things are drifting from bad to worse. We are pledged to the working of the present constitution for all it is worth and to work it to its best possible advantage, but the present constitution is difficult to be worked when we found that a large section of the people and their representatives do not want to work the constitution. Whether they are right or wrong it is needless to enquire. That fact remains and that fact cannot be ignored. I do not want to encroach upon the time of the Council by a lengthy speech, but I only reiterate what I have already said that my party whole-heartedly support the object of this amendment that we want provincial autonomy and a Royal Commission as early as possible.

Sir ABD-UR-RAHIM: I wish to say just a word or two on the important question which has been mooted before the House. The matter has been discussed so fully in the Assembly that there is no need for discussing it at length here. The history of the matter is well known. When the Muddiman Committee was appointed the attitude of the Government, as could be gathered, was that there would be no comprehensive enquiry before 1929 and all that was needed was to investigate the position as regards the present constitution, find out what its defects were which required to be remedied and to supply the remedy. The Muddiman Committee made its report and so far as one can find out from the report of the majority, they stuck to the original resolution that there would be no revision of the Constitution until 1929. But since then there have been pronouncements in high places apparently modifying that attitude. It was said that nobody was tied down to any particular date, but that if it was thought advisable, if more co-operation was available, the Government would be ready and willing to reopen the question and appoint a Royal Commission before 1929. Well, that, it seems to me, has considerably weakened the position of the Government. If they had said that here is the Government of India Act of 1919, we have framed a Constitution for India: it can be worked if sufficient good-will were forthcoming, and if the people are not willing to co-operate in order to work the Constitution according to its best possibilities, it is not the fault of the Act itself or of the Constitution, but of those who are called upon to work it. That was one attitude and it was an intelligible attitude; but then when it is said—yes: if we have co-operation we are willing to appoint a commission even before 1929 then the question is very pertinently asked—have you not co-operation? You might ask what about the Swarajists. The easy answer to that is what about the rest of the country: what about those who have been working the Constitution throughout India. It seems to me it is a difficult position for Government to meet. Now, what more co-operation can be wanted than this? Take the civil administration. Is there not co-operation throughout there; take the military administration. Where is non-co-operation. The whole thing has disappeared. Then those who have been working the Government of India Act, I think, are right in saying that simply because in two provinces a certain number of members have taken into their heads to obstruct the working of the Act, that is no reason why you should say to the other people that they are not sufficiently co-operating with the Government. It is really attaching too much importance to the attitude of the Swarajists, and it is giving that body an undue importance which they do not deserve. On that ground alone I think we, that have always been co-operating and helping the Government in every possible way, are entitled to protest against the way in which it sought to belittle all that we have been doing. In my opinion the Swarajists do not deserve the importance that is given to them. If

the Government take a little less notice of them, I am sure the Swarajists will find that that they have not got the same importance or the same following or the strength in the country which they profess to claim. They know now that in the country they have no following: they have been defeated throughout: in Bengal they have been defeated time after time. In the Assembly also they have been defeated and it is only yesterday they had to run away from his Council. Originally I was of opinion, and I expressed that before the Muddiman Committee quite plainly, that you have got 1929 as the date fixed, then why are you in a hurry; but since the Government has modified its own attitude I think the people are entitled to say that the ground on which you are deferring it now is not a sound ground at all. Co-operation is there, only a few people are obstructing. Disregard them. I therefore support what Maulvi Ekramul Huq has proposed, on behalf of the non-Swarajist Muhammadans who sit on this side of the House.

Babu SURENDRA NATH RAY: Sir, I shall be very brief. I think we are all inclined to support the motion of Maulvi Ekramul Huq. Even my friends the Swarajists were in favour of a round table conference. I asked the late lamented Deshbandhu C. R. Das a few months before his death, how is it that he did not support the round table conference which Pandit Madan Mohan Malaviya wanted to have and for which he came down from the Punjab to Bengal? He told me that he was then in jail and if he had given his open support to the round table conference or if he had publicly said that he would support the round table conference, people would have thought that he wanted to come out of jail before his term had expired. He was afraid of public opinion. I told him that he ought not to have thought of public opinion at the time, but he ought to have thought of the good of the country. Now, Sir, of late we have heard much of gestures—gestures from the Viceroy, gestures from the Secretary of State. But to whom are these gestures due? Are they not due to our friends the Swarajists, some of whom have made great sacrifices for the country. Of course all Swarajists do not stand on an equal footing—they do not all think alike, but I should say that many of them are estimable persons and they really feel for the country, and because they feel for the country, they have been able to make such sacrifices. I say we have had enough of these gestures: we want something tangible: we want the Government to show that they are in earnest. The Government say that the Swarajists indulge in camouflage. I say it is the Government which indulge in camouflage. What have Government done? They have done nothing. They ought to come forward with the Royal Commission. Why delay this commission? I really cannot understand the meaning of this delay. Do they want any tangible evidence as to the capability of the people of this country for self-government? Self-government has been here in India from time immemorial—from t[illegible]

days of the *panchayets*. I say that Government ought to come forward, not in the way in which they have been doing, but they ought to come forward plainly, straightforwardly and with open arms, and then they will get full support from the educated people of this country, from men of culture, from all sorts of people. There will be then no bickerings, no cause for any discontent or heart-burning on the part of the educated and cultured people of the country. I say, therefore, let there be the Royal Commission, about which Maulvi Ekramul Huq has already spoken. Why delay it? What is the cause of this delay? What do you gain by this delay? Have you not had enough evidence showing that the people of this country are quite capable of managing the affairs of Government? You have appointed men—not trained administrators—in posts of responsibility and you have seen that the work of administration is carried on smoothly by them. After this what further evidence do you want the people to show that they must be trained in the work of administration. For these reasons I fully endorse the views expressed by Maulvi Ekramul Huq.

Mr. S. C. MUKERJI: Sir, as the representative of the Indian Christian community in this Council I am thankful to Maulvi Ekramul Huq for raising this important constitutional issue. At the All-India Conference of Indian Christians, which was held in December last, a resolution was passed endorsing the recommendations of the minority report of the Muddiman Committee and also demanding an earlier appointment of the Royal Commission.

There is unanimity throughout the country in one matter, and that is that the Government of India Act of 1919 is not an ideal Act. It is admitted on all hands that the constitution provided there in that Act is cumbrous and unworkable in very many respects, and though the enquiry of the Muddiman Committee was circumscribed in more than one way, still there was that unanimous opinion expressed that that is an Act which needs revision, and revision at as early a moment as possible. In view of this unanimity of opinion, I think this demand for the earlier appointment of a commission is reasonable and legitimate. Good-will and co-operation on the part of the people is expected by the authorities in England and here in India. It is said that a gesture is wanted indicative of that good-will and spirit of co-operation, but, Sir, why a gesture? Have not the people of this country and the representatives of the people in the Legislative Assembly and in the Provincial Councils not only shown a gesture, but for nearly six years have done solid work in carrying out this constitution which is provided for in the Government of India Act of 1919? Do the authorities mean to say that the only gesture they want is a gesture from the Swarajists? Do the Swarajists represent the whole of India? If the Swarajists pursue a tactless policy, a policy of negation, a policy of

obstruction, a policy of destruction, is that the reason why the remaining sections of the people are to be penalised and are to be denied their legitimate demands and claims and rights?

Sir, if I may be permitted to make an observation regarding what Sir Alexander Muddiman said in the Legislative Assembly. It was somewhat to this effect: "If my King asks me, 'Watchman what of the night', what am I to say to my King? I want to say to my King, 'the dawn is breaking, but I see the night is dark'." May I ask with all humility and with all deference to Sir Alexander Muddiman, is that a correct diagnosis of the night? If the King asks the watchman, "What of the night?" the answer should go to the King that not only is the dawn breaking, but the beautiful sun is rising with a rosy hue. It reveals that the people of India are simply impregnated and inspired with those high ideals that entitle them to a much larger share of parliamentary government. That is, Sir, the correct diagnosis of the situation. The co-operators should not be penalised because of the non-co-operators. Those who are trying their level best to work this constitution should not be penalised because there is one section which has taken into their hands this reckless policy of non-co-operation and obstruction and, therefore, I give my whole-hearted support to the constitutional issue which has been raised by my friends in this Council.

Babu DEBI PROSAD KHAITAN: Mr. President, Sir, it is a matter of great felicitation that this constitutional issue has been raised by this motion. Whatsoever may be said on differences of methods that the different parties in the political atmosphere of this country want, there can be no doubt whatsoever that there is one point upon which there is absolute unity, and that is that India should be given at least another advance towards self-government within the Dominions, if not complete *swaraj*, and for that purpose discussions should take place at as early a date as possible. There may be some difference of opinion as to whether there should be a round table conference or whether it should be done by the appointment of a Royal Commission, but so far as the Government of India Act itself is concerned, it lays down that in 1929 a Royal Commission would be appointed for that purpose, and as regards that method of enquiry, Government cannot say that it cannot appoint a Royal Commission. Both the Secretary of State and His Excellency the Viceroy have said that the year 1929 is no sacred year, and that if co-operation is shown, if the people show a gesture, a Royal Commission can be appointed earlier. As my friend Mr. Mukerji has already pointed out, what is the gesture, what is the co-operation that the Government need? For this purpose the political parties of India may be divided into two classes—Swarajists and non-Swarajists. So far as the non-Swarajists are concerned, there can be no doubt whatsoever that the fullest co-operation, or things

much stronger than co-operation, have been rendered unto the Government. They have tried their best to work out the Government of India Act for what it is worth, although they have never fallen in love with it. Notwithstanding the defects in the Government of India Act all the non-Swarajists throughout India have done their best to work it out so far as it is possible to work it. Still the Government say that co-operation is not offered, that a gesture is still wanting. What is the interpretation that can be put upon it but that a gesture is wanted from the Swarajists? Then, Sir, is it a fact that in the eyes of Government, the other political parties—political parties apart from the Swarajists—count for nothing? If that is so, if it is the view of the Government that the Swarajist Party is the only party that count in this matter, then the Government by implication admits this, that the Swarajist Party is the representative and is the only representative party representing the people of India. Sir, if that be so, what is the standpoint that has been taken up by the Swarajists themselves? They say that the Government of India Act is unworkable and should be destroyed and they desire that something better should be built up in its place. And if the Swarajists are the real representatives of the people at large, it must be conceded that the people of India with one voice claim that the Government of India Act is not what the people want, that it should be destroyed, that something better should be built upon it. Now, Sir, if this is the demand of the people, what does Lord Birkenhead mean by saying that there should be a united demand by the people of the country, and then the people of England will listen. The position taken up by the Government in this matter is certainly very inconsistent. If a general united demand is wanted, we can turn to the resolution passed by the Indian Legislative Assembly in September last when all the parties—Swarajist and non-Swarajist—combined together in putting forward that demand in the name of the people. What action has been taken on that resolution? The only thing that has been said is that that counts for nothing, and there still must be a gesture. Sir, as I have already pointed out, if a gesture is wanted, then the Swarajists have taken the logical consequence of their point of view; they have walked out of the Assembly and the several provincial Councils. Surely, that is not the kind of gesture that the Government want. The other political parties in the field of India have remained to work the constitution for what it is worth. If that is not the gesture which satisfies the Government, I do not know what kind of gesture the Government want. Sir, if something is not done at an early date the position is going from bad to worse in the country. Whoever can abuse the Government most is really liked by the people. Why has that position arisen? Why is this hatred against Government becoming more and more permanent? It is because the people think that those who co-operate with the Government count for nothing; that those who abuse the Government most

are really respected by the Government, and not only by the Government of India, but by the Government of England. Sir, is not that breeding hatred on account of the action of the Government themselves. Is not that inspiring in the minds of the people the feeling that there can be no love between Europeans and Indians, between the ruler and the ruled, and between the people and those who dominate over them? If that is what the Government want, then surely there is reason for delay. But I still have faith in the English people, I still have faith in their reasonableness, and I feel sure it is not disunion, it is not hatred, it is not a dislike of the people of England or of the Government that the Government want, and not what the Government really desire. It is surely love, it is surely justice, it is surely the good of the people that they want, and what the Government really desire. I fail to understand, Sir, what it is that the Government of India really fear before appointing a Royal Commission. It is said that the Hindus and Muhammadans are not united; it is often asserted that it is this very delay in appointing a Royal Commission, that it is this very delay in investigating the whole question and coming to a final conclusion as to what should be done between Hindus and Muhammadans, as to what should be done in regard to minorities, as to what should be done in order to protect the conflicting interests of the minorities, that is really breeding more disunion, more discontent and more apparent fighting amongst themselves. If the Royal Commission is soon appointed all this fight that we now see will be settled by the Royal Commission. They would be set at rest, and this is one of the functions with which the Royal Commission should be entrusted. After that we do hope that the people of this country will feel like Nationalists, Hindus and Muammadans will join together to work out their salvation, a further stage of Government that will be given because what gesture the Swarajists want will be given by Government, and I have every confidence, and I do hope and trust that there will not be any party of obstruction, no party of destruction, no party showing hatred either against the people of England or against the Government. I hope that this modest demand that has been made in this Council will be listened to by Government and something substantial will be done to endear the people to the people of England, and endear the people to their rulers, and in order to work out the salvation not only of India itself, but to make the bond between India and England still stronger to work for the benefit of humanity at large, and to fulfil the mission that has been placed before it by Providence.

(At this stage the Council was adjourned for 10 minutes.)

(After the adjournment.)

The Hon'ble Sir HUGH STEPHENSON: So far as the actual reduction proposed to be made is concerned, Government must of course resist it. It is, I take it, only a peg on which the speakers have hung their

orations on the constitutional question. I take it, the mover does not seriously mean to press for the reduction.

As regards the constitutional question, that of course is entirely beyond our province. As the speakers themselves have recognised, it is too high a matter for us, and the Bengal Government are not directly concerned in it. But I think, although I cannot speak for the Government on a matter on which the Bengal Government have no powers, I ought to say a few words on my own behalf in regard to the matter. The mover has brought forward this motion in order to demand an early appointment of a Royal or Statutory Commission. Well, Sir, I am not an orator as the others who have spoken, and I have a constitutional dislike for catch-phrases. Let us therefore get away from "co-operation", "gestures", etc., and examine the matter in a plain commonsense way.

What exactly will happen when the Statutory Commission is appointed? The mover says that it will confer greater rights; Mr. Surendra Nath Ray says, "the lion will lie down by the lamb". Mr. Khaitan promises a millennium when there will be no more bickerings and no more quarrels and all thorny questions will be solved. Before we get to this situation, what exactly is going to happen? What is the Statutory Commission going to come out here for? It is to come out to examine the result of the Government of India Act, to see what progress has been made and to see what recommendations they can make to Parliament either for a further advance or for retrogression. The Statutory Commission can only make recommendations to Parliament on the facts as it finds them. It will at least get away from catch-phrases. It will examine what has actually happened since the Reforms came into force, and in special it will address itself, I take it, to two main questions. The first is, has development in India since the Reforms started proved that India is fit and ready for a system of parliamentary government? Secondly, have events since that time shown that there exists in India a population of voters on which the parliamentary system can be based? It will not be the duty of the Statutory Commission, as Babu Surendra Nath Ray has said, to find out whether individual Indians can make good administrators. We know that and we are in entire accord with Babu Surendra Nath Ray that it is not a question for any further debate. But the question is, is India fit and ready for a parliamentary system of government and is the parliamentary system of government the best one for India? I have listened with great attention to the mover's speech and the first question I asked myself was, what are the reasons for asking that this examination shall be made now? I found none in the mover's speech. I have found none in any of the speeches of the gentlemen who followed him. So far as the general question of autonomous provincial government is concerned, to come as soon as possible, we are all at one with the ideal that Parliament has set before us and that is the ideal which this Government is working for. The only question is when is that

advance possible? And that is the question which the Statutory commission will help us to solve. There is a great deal of misapprehension and wrong ideas with regard to the position of the Government at the present time in this transition stage. We are told by the Swarajists that the bureaucracy is the Government and that the Government is the enemy and that there are only two parties in the field—one, the people, and the other the Government. And that attitude, I think, is not altogether distant from some of the other parties. We have been told by Mr. Khaitan that one reason why the Government is unpopular, is disliked and is almost hated is because it does not back up its friends. My conception of the position of Government in this transition stage is this, we are here to carry on the work until India is fit and ready to take over the work from us, and it will be ready to take over the work as soon as it proves its capacity for parliamentary government. Meanwhile we are not the enemy, we are not the opponents of the people. We are the people doing the work and keeping the machine working in the meanwhile.

What are the reasons why the Council wants the Statutory Commission at once? I can understand the Council desiring a Statutory Commission at the end of the first three years. It had something to show then. But that obviously was too short an experiment. At the end of six years can we say that we should call out for an early examination? Have we learnt our part efficiently to be able to face the *viva voce* test of our examiners without tremor? What will the Commission find? How will we appear before the Commission? What about the voters? Are we prepared to put before the Statutory Commission proofs that the voter is now able to carry the tremendous responsibility that will come upon him under full parliamentary government? What about the elections? Are we prepared to allow the Statutory Commission to go into the story of every election in Bengal? What about the Council? Are we prepared to stand by all actions in the Council during the last three years? Are we prepared to go to the Statutory Commission and say, we are willing to be judged by what we have done during the last three years. Speakers have said, "this is all the work of the Swarajists. We should not be blamed for what the Swarajists have done". But I think the Statutory Commission will probe further into the matter. Who sent the Swarajists here? Was it the voter? Is the voter then to be trusted to establish a parliament with full authority?

What has been done during the last three years to educate the people? What has been done during this period to educate the voters? We are told that the Swarajists do not represent the country. We are told that Government has set up a bogie themselves and is frightened at it. But, in any case, the Swarajists are here, or were here. They came to this Council after being duly elected under the law. It therefore does not lie in the mouth of any member, who asks for an advance, to say that these persons who had been elected to this Council are not representatives of the

people of this country. If they are not the representatives of the people, then it must be said that the country is not yet ripe for the parliamentary form of government. Well, Sir, if a Statutory Commission were appointed, it would surely ask a very pertinent question—a question which we have to ask ourselves—whether the Swarajists are or are not the representatives of the people of this country they are not and have not been in a majority in this Council how then could they succeed in obstructing the work of this Council? That is a question which we have to ask ourselves; and I put it to the mover and those who spoke in favour of this motion: Is your conscience clear? Who killed dyarchy? The Swarajists could not do this themselves. Are you prepared to stand up before the Statutory Commission and say: "Our hands are clean: What we did was all right."

These remarks are, as I said before, only my personal observations such as have occurred to me in listening to this debate. As a member of the Government I have no right to speak, because the Bengal Government have no decision in the matter of the constitutional question, and therefore I cannot speak on behalf of the Government.

As regards the intention of the motion, in so far as it expresses the wish of all of us that the progress in constitutional advance shall be as rapid as is consistent with safety, Government, I am sure, are quite willing to accept it; but in so far as it expresses a wish to fix a date for establishing this Commission, I think the thoughts that I have put forward in my individual capacity are well worth consideration. So far as the motion proposes to take away my travelling allowances, Government will certainly go to the lobby against it.

The motion of Maulvi Ekramul Huq was then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

Maulvi WAHED HOSSAIN: "That the demand of Rs. 70,000 for expenditure under the head '22F Legislative Council—Travelling Allowance' (page 67, Civil Estimate) be reduced by Rs. 25,000."

Babu HEMANTA KUMAR SARKAR: "That the demand of Rs. 70,000 under the head '22F—Legislative Council—Travelling Allowance' (page 67, Civil Estimate) be reduced by Rs. 2,000."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 43,000 for expenditure under the head '22F—Legislative Council—Office Expenses and Miscellaneous' (page 67, Civil Estimate) be reduced by Rs. 28,000."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 4,000 for pay of officer on special duty in the Judicial, Political, etc., Departments under the head '22—General Administration—Civil Secretariat' (page 68, Civil Estimate) be refused."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 20,000 under the head '22G—Judicial, Political and Appointment Departments—Temporary Establishment' (page 68, Civil Estimate) be reduced by Rs. 6,000."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 20,000 for temporary establishment under the head '22G—General Administration—Civil Secretariat' (page 68, Civil Estimate) be reduced by Rs. 8,000."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 2,500 for publicity officers under the head '22G Civil Secretariat' (page 68, Civil Estimate) be refused."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 2,500 under the head '22G Civil Secretariat Lump provisions for publicity officers' (page 68, Civil Estimate) be reduced by Rs. 1,000."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 25,500 for lump provision for Reporting Agency under the head '22G Civil Secretariat' (page 68, Civil Estimate) be refused."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 25,500 under the head '22G—Civil Secretariat—Lump provision for Reporting Agency' (page 68, Civil Estimate) be reduced by Rs. 10,000."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 2,50,000 under the head '22—General Administration—Elections for Indian and Provincial legislature' (page 61, Civil Estimate) be reduced by Rs. 50,000."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 2,69,200 under the head '22G—Civil Secretariat—Judicial, Political, Appointment Departments' (page 68, Civil Estimate) be reduced by Rs. 16,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 23,000 under the head '22G—Civil Secretariat—Reserved—Book Depôt Establishment—Postage and Telegram Charges' (page 70, Civil Estimate) be reduced by Rs. 8,000."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 23,000 under the head '22G—Civil Secretariat—Book Depôt Establishment—Postage and Telegram Charges' (page 70, Civil Estimate) be reduced by Rs. 3,000."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 17,000 for expenditure under the head '22G—Civil Secretariat—Book Depôt Establishment—Office Expenses and Miscellaneous' (page 70, Civil Estimate) be reduced by Rs. 8,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 59,000 under the head '226—Book Depôt Establishment' (page 70, Civil Estimate) be reduced by Rs. 7,000."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 20,000 under the head '226—Civil Secretariat—Travelling Allowance' (page 70, Civil Estimate) be reduced by Rs. 5,000."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 15,000 under the head '226—Civil Secretariat—Hill Allowances' (page 70, Civil Estimate) be reduced by Rs. 7,000."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 12,000 under the head '226—Civil Secretariat—House rent and other allowances' (page 70, Civil Estimate) be reduced by Rs. 6,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 12,000 under the head '226—Civil Secretariat—Reserved—Allowances—House rent and other allowances' (page 70, Civil Estimate) be reduced by Rs. 2,500."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 47,000 for allowances under the head '226—Civil Secretariat' (page 70, Civil Estimate) be reduced by Rs. 7,000."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 57,000 under the head '226—Civil Secretariat Contingencies' (page 70, Civil Estimate) be reduced by Rs. 20,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 57,000 under the head '226—Civil Secretariat—Reserved—Contingencies' (page 70, Civil Estimate) be reduced by Rs. 5,000."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 57,000 under the head '226—Civil Secretariat—Contingencies' (page 70, Civil Estimate) be reduced by Rs. 5,000."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 57,000 under the head '226—Civil Secretariat—Total Contingencies' (page 70, Civil Estimate) be reduced by Rs. 2,000."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 8,09,000 under the head '226—Civil Secretariat—Reserved' (page 68, Civil Estimate) be reduced by Rs. 68,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 10,200 under the head '226—Education Department—Pay of Assistant Secretary' (page 72, Civil Estimate) be refused."

Babu HEMANTA KUMAR SARKAR: "That the demand of Rs. 78,400 under the head '22G—Civil Secretariat—Local Self-Government Department' (page 73, Civil Estimate) be reduced by Re. 1."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 15,000 under the head '22G—Civil Secretariat—Total Allowances' (page 74, Civil Estimate) be reduced by Rs. 5,000."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 21,800 under the head '22G—Civil Secretariat—Total Contingencies' (page 74, Civil Estimate) be reduced by Rs. 5,000."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 2,52,200 under the head '22G—Civil Secretariat—Reserved A' (page 71, Civil Estimate) be refused."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 2,52,200 under the head '22G—Civil Secretariat—Reserved A' (page 71, Civil Estimate) be reduced by Rs. 12,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 2,52,200 under the head '22G—Civil Secretariat—Reserved A' (page 71, Civil Estimate) be reduced by Rs. 7,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 73,640 under the head '22H—Board of Revenue' (page 76, Civil Estimate) be reduced by Rs. 3,640."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 87,000 under the head '22H—Board of Revenue' (page 75, Civil Estimate) be reduced by Rs. 7,000."

Mr. SYED M. MASIH: "That the demand of Rs. 87,000 under the head '22H—Board of Revenue' (page 76, Civil Estimate) be reduced by Re. 1."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 1,84,000 under the head '211—Local Fund Audit Establishment' (page 77, Civil Estimate) be reduced by Rs. 12,000."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 1,600 under the head '22J—Commissioners—Purchase and keep of elephants' (page 78, Civil Estimate) be refused."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 1,600 under the head '22J—Commissioners—General Establishment—Purchase and keep of elephants' (page 78, Civil Estimate) be refused."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 1,600 under the head '22J—Commissioners—General Establishment—Purchase and keep of elephants' (page 78, Civil Estimate) be reduced by Re. 1."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 4,000 under the head '22J—General Establishment—Other charges' (page 78, Civil Estimate) be reduced by Rs. 2,000."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 2,95,000 under the head '22J—Commissioners' (page 77, Civil Estimate) be refused."

Babu BEJOY KRISHNA BOSE: "That the demand of Rs. 2,95,000 under the head '22J—Commissioners' (page 77, Civil Estimate) be refused."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 2,95,000 under the head '22J—Commissioners' (page 77, Civil Estimate) be refused."

Babu KHAGENDRA NATH GANGULY: "That the demand of Rs. 2,95,000 under the head '22J—Commissioners" (page 77, Civil Estimate) be refused."

Babu TARAKNATH MUKERJEA: "That the demand of Rs. 2,95,000 under the head '22J—General Administration—Commissioners' (page 77, Civil Estimate) be reduced by Rs. 45,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 2,95,000 under the head '22J—Commissioners' (page 77, Civil Estimate) be reduced by Rs. 12,000."

Maulvi EKRAMUL HUQ: "That the demand of Rs. 2,95,000 under the head '22J—Commissioners' (page 77, Civil Estimate) be reduced by Re. 1."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 1,25,000 under the head '22K—Pay of Collectors and Magistrates' (page 79, Civil Estimate) be refused."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 1,25,000 under the head 22K—Pay of Collectors and Magistrates' (page 79, Civil Estimate) be reduced by Rs. 20,000."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 48,000 under the head '22—General Administration K to M—District Administration' for the appointment of additional circle officers (page 42, Budget Estimate) be refused."

Mr. P. N. GUHA: Sir, I beg to move that the demand of Rs. 48,000 under the head "22—General Administration—K to M—District Administration" for the appointment of additional circle officers (page 42, Budget Estimate) be refused.

Sir, the object of my moving this resolution is not really to give a cut, but as I have no other opportunity to draw the attention of the Government regarding the working of the union boards, I have taken up this resolution for the same purpose. The Village Self-Government Act, which was sought to be amended a few days ago in this Council, is a piece of legislation which I can unhesitatingly say is not acceptable to the people of Bengal. My friend, Rai Harendranath Chaudhuri, brought in some amendments of this Act against which I voted and I did so, because his object was to deprive the District Magistrates of all the powers under this Act. I, for myself, do not consider that this Act will be harmless if the powers are taken away from the Magistrates. On the contrary, I think, the District Magistrates should have some control. My principal objection against the Act is on the fundamental principle of taxation. I have been taking a little interest in this Act since its inception. I remember I was present in the visitors' gallery in the old Council when Sir S. P., now, Lord Sinha, brought up this Bill during the administration of Lord Ronaldshay. Since then I have always thought that this Act had absolutely overlooked the fundamental principles of the village organisation in Bengal. The system of taxation that has been introduced is quite novel in this country. In our country the system had been to pay taxes mostly in kind, but Lord Sinha introduced the payment of taxes in money instead and gave the union boards the power of levying very heavy taxes which was at once resented.

Sir, I spend about 6 or 7 weeks every year in my native village in the district of Barisal, and I am closely in touch with my people there. I know from my experience that it is very difficult for the villagers to pay so many rupees as tax although he can very easily pay that in kind. I can give a concrete example to elaborate my point. If a villager is asked to pay Rs. 7 as his tax, he will certainly grumble, but every villager in Bengal has got at least 10 cocoanut trees, 5 jack-fruit trees or 3 mango trees in his house, and if the President of the Union Board would ask him to give him ten cocoanuts, five jack-fruits and 50 mangoes from each tree, that would come to something like three times the amount (Rs. 7) that he would pay in money. Take another example, the duty of the union boards is to keep the sanitary condition of the villages perfect. Suppose there is an old tank in a village which requires cleansing; the contractor comes and makes an estimate of say Rs. 20. Well, this has to be raised by taxation, but in these days there are a lot of young men in the villages and if the President of the Union Board were to call upon 10 stout

young men and ask them to give an hour a day at the time of bathing for cleansing the tank, the tank would be cleared in 10 days without placing any burden on anybody. These are matters which it is very difficult for those who never live in villages to understand. I was born and brought up in a village and I have never missed a single year of my life in which I have not passed 6 or 7 weeks in my village. I can therefore speak from experience that the sort of taxation that the Village Self-Government Act has imposed, is very very greatly resented by the people and consequently there is a great deal of clamour.

It may be remembered that in the earlier part of the Council I tabled a resolution requesting the Government to postpone the operation of the Village Self-Government Act, but unfortunately I could not get the opportunity at that time as my resolution was not reached. I do not for a moment say that there should not be anything to improve the condition of the villages, but what I maintain is that the ways of improving the condition of the villages must be such as would be suitable to our condition of life. It is no use putting top hat on the head of an orthodox Brahmin with his *namabali* and *tiki* on. It would look exceedingly awkward. You must arrange matters in such a way as would make them acceptable to the people of the country. I am told that the intention of appointing these circle officers is that they would go into the villages and create a demand for union boards. That is a very good thing, and certainly that is a sort of political education. But from my personal experience I know that these circle officers go into the villages only to force the union boards on the unwilling heads of the villagers. I have innumerable examples on that behalf. The avowed intention of Government is that they will not thrust a union board on the residents of any place unless they are willing to accept it. Now I will cite a concrete example with regard to my native district.

I have the information from the Government that they want to divide the district of Barisal into 315 union boards. Out of which within these few years they have been able to establish 41 of such boards and elections had failed in eight unions. I know, Sir, in many of these 41 boards, elections did not spontaneously come. I know of one definite union board in which elections had failed consecutively for four times. For the satisfaction of the members of the Treasury Bench, I give the name of the circle officer. He is Dil Muhammad, working in Unions Nos. 8 and 9 in the district of Bakarganj. This gentleman has been trying for the last two or three years to establish a union board there. But the people would not have it. After the failure of four successive elections, the District Magistrate, according to law, nominated 9 people and declared that the union board had to go on. These 9 persons, who were nominated, ultimately

came and said that they knew nothing about their nominations. It was due to the activities of Dil Muhammad that these nominations were made by the District Magistrate. The Magistrate was quite in a fix what to do. However, after a lapse of time, 9 more names were given to the Magistrate who nominated them and completed the formation of the union board according to the law. That union board cannot function, because the people there are determined not to have anything to do with it. It may be argued that because the people there are ignorant it is all the more reason why the Government should thrust union board upon them. Sir, I fail to understand why a union board should be thrust upon people who do not want it. How can the people accept anything for which they have a positive dislike? This particular union board, about which I am speaking, sent a petition to the Magistrate. I have here with me a copy of the petition which has been addressed to the District Magistrate—and that officer having taken no notice of repeated prayers and petitions, people of some ten or twelve villages assembled together and unanimously passed a resolution which, with your kind permission, I would like to read. The resolution which is in Bengali, runs as follows:—

"যেহেতু ইউনিয়ান বোর্ড আমাদের দেশের ও সমাজের ভাল অনিষ্টের কারণ হইবে সেই হেতু আমরা এই সভাতে উপস্থিত সকলে প্রতিজ্ঞাবদ্ধ হইতেছি যে আমরা কেহই ইউনিয়ান বোর্ড গ্রহণ করিব না বা বোর্ডের ধার্য্য ট্যাক্স আদায় করিব না। যদি কেহ ট্যাক্সের জন্য পীড়াপীড়ি করে, এমনকি মাল ক্রোকও করে বা অন্য কোনরূপ অত্যাচার করে, তথাপিও আমরা ট্যাক্স দিতে কোন মতেই সম্মত হইব না। ক্রোকী মাল কেহ খরিদ করিব না বা এক স্থান হইতে অন্য স্থানে বহন করিয়া লইয়া যাইব না। যে কেহ স্বার্থের জন্য বা স্বার্থান্বিত ব্যক্তিদিগের প্ররোচনায় বোর্ডকে ট্যাক্স দিবে, আমরা তাহার সহিত কোনরূপ সামাজিক সম্পর্ক রাখিব না।"

This is the resolution that the people of some ten to twelve villages passed, and it shows that they are determined not have anything to do with the union board in Unions Nos. 8 and 9 in the district of Bakarganj. Sir, in the face of this unwillingness and emphatic protest on the part of the people against the introduction of the union board there, is it just and fair that it should be thrust upon them? When the villagers do not want a union board, the Government have no right to force them to accept it. We are a people not absolutely without a past—we had our village organizations; and if the framers of this Act would care to look into our past, they would certainly find something to reorganise the villages, which, if introduced, would give satisfaction to the people. However, Sir, from a perusal of the resolution passed by the villagers, you will find that at least in this place, the crisis may assume the shape which it did at Midnapore.

Sir, if it is the intention of Government not to thrust union boards

on the unwilling heads of the people, what explanation can be given for this sort of intrusion? The Hon'ble Member in charge will find the petition I have referred to in the file of the District Magistrate. This is a concrete example to which I would like to draw the attention of the Government. Sir, during the earlier part of the Council session the Hon'ble Member in charge of the Local Self-Government told us that a particular officer had been deputed by the Government to inquire into the possibility of union boards—I think he is Mr. Hart. Sir, the village problem of Bengal is rather intricate and it cannot be solved so easily. You are fully aware that the conditions of the villages differ largely according to areas; and the condition which is suitable to one area is quite unsuitable for another. Sir, my main object in moving this resolution is to draw the attention of the Government to the serious condition that has arisen in my district. The board I have referred to is not only the one thrust on the people. The inhabitants of village Banaripara who, while the late Sir Surendra Nath Benerjea was in charge of the Local Self-Government, came here on a deputation and I myself took them to the Hon'ble Minister who heard everything and at once agreed to postpone the introduction of the board. Sir, I do not for one moment want to do away with the union boards altogether, but what I want is that no board should be thrust on those who do not want it. The Act should without further delay be amended according to the conditions of the country. I want to draw the attention of the Government to the fact that most of these circle officers are youngsters who are just out from colleges. They know absolutely nothing about the condition of villagers. They have neither the tact nor the abilities to induce the people of the villages to accept and work union boards. I, therefore, consider that their appointment is absolutely unnecessary and that is why I move that their salaries be refused.

Mr. W. L. TRAVERS: As an up-country member who has taken great interest in local self-government I would say a few words in opposing my friend Mr. Guha's motion. I have two reasons for doing so. The first is that I am a sincere believer in representative self-government and the second is that although in Mr. Guha's village it is apparently not a success, yet in other parts of the province I think it has been very successful, and I am sure that in time its success will grow very considerably. To take my first objection; we have in this province, at the present moment, a system of government that one may describe as top-heavy. We have here a Legislative Council which is elected by a popular vote. Below it we have district and local boards which are not as yet, owing to the opposition of the vacant party, modernised and we have still below that, the first link in the chain, the village union, which is only just beginning. In my opinion if we are to have in this province a system of government that is to be really

successful and efficient you will require every link in that chain from the village union to this Council. Moreover, I say that the first link in the chain, that is, the village council at the present moment is by far the most important. We have had this afternoon speeches on the constitutional issue and therein we learnt and in fact we knew before, that really and truly one of the chief business before this country is the education of the electors. In my opinion the best way to educate electors is through the machinery of the village unions. Why the village union? Because it is in intimate connection with the electors. The villager sees how it works. He—the Bengali being the shrewd person that he is—very soon learns to envisage the form of a larger institution like this Council. Another point is that in my opinion at the present moment the most urgent need in this province is the provision of good drinking water for the people. That being so, the people themselves can surely, if they are taught, do something, at any rate to relieve the necessity from which they are suffering. Now, we have in the village union an institution and we have circle officers attached to it. In its early days the union must receive the help and advice from the latter and with his advice and help villagers can do something to improve water-supply. I could produce many other reasons of the same nature. But I have said sufficient to explain why I feel that I must oppose Mr. Guha's motion and I hope the Council will vote the salaries of these circle officers.

Babu SARAT CHANDRA BASU: Sir, We have heard a great deal about these union boards. My friend, Mr. Guha, has put many a fact, which is absolutely correct, before the House. I come from a village and I have myself seen the working of union boards and I have seen the work of the circle officers. One thing in which I disagree with Mr. Guha is this that from what I have seen of these circle officers—young though they are—I must say that they are extremely capable men, bent upon doing good work, and so far as their work is concerned, there is very little that remains to be desired. Personally for these officers individually I have got the greatest respect, but in so far as the nature of their work is concerned, I must have to say something. These union boards, although possessing the very good name of "union boards" are only hotbeds of disunion. These union boards, although they have been constituted for a very laudable purpose and for doing useful work, have been the cause for increased taxation. We know that some 20 or 25 years ago in these villages the villagers used to be represented by the village chaukidars, who were supported by chaukidari chakran lands. A wave came on, as these waves do come upon the Government mind, that these chaukidari chakran lands must be resumed and better arrangements must be made for the working of these chaukidars. We all know the result. The resumption of the chaukidari chakran lands has been a huge

failure on the part of Government. It has done good to nobody: it has only enriched some landlords. We know as a fact that after the resumption, after the assessment to revenue of those lands, the revenue that is now realised is not even sufficient to keep one-half the number of chaukidars that used to be maintained in former days. The necessity, therefore, has arisen to maintain a set of chaukidars from out of the revenue realised from other sources. Then again a wave came on amongst the Government officials that there should be union boards to see to the sanitation of the villages and to see to the improvement of the condition of the villagers, but after all what has been done? It has only been effective in having some underlings of the District Magistrate to act as spies in the villages and to make complaints about people who are not liked by these Government officials. I have not found any good work that has yet been done by the union boards. The work of these boards used to be done formerly by the District Magistrates themselves. In those days the District Magistrate was the chief revenue officer of the district, the chief magisterial officer, the chief engineer, the chief postal officer, the chief irrigation officer, the chief income-tax officer, the chief excise officer, the chief man for the local self-government, but all these powers are now gone and the District Magistrate has been divested of all these functions and of judicial functions even. The District Magistrates have now become *khaskamra* officers buried under the bundles of correspondence and their work has been delegated to subordinate officers, and if you are pleased to compare, Mr. President, the number of those subordinate officers, those Deputy Magistrates and Sub-Deputy Magistrates——

Mr. PRESIDENT: Order, order! I am afraid you are straying from one point to another without any relevancy. I would ask you to keep strictly to the subject-matter now under discussion, namely, the appointment of additional circle officers.

Babu SARAT CHANDRA BASU: I cannot but obey the President's ruling, but at the same time I submit that I was going on to relevant points and if you had heard me out, you would have found the relevancy.

Mr. PRESIDENT: The President thinks that your remarks are irrelevant.

Babu SARAT CHANDRA BASU: What I was going to say is this: that there has been an increase in the officers who man that service without any appreciable increase of work, and that if a comparison is made with the number of officers that used to do that work, it will be found that the number has increased by 100 per cent., without the quality of the work having improved. It is for that reason, I was going to say, that additional expenditure for the entertainment of circle officers is not necessary. That additional expenditure means

additional revenue to be wrung out from the poor millions of the country, and if the Government really desires supervision in the villages, if the Government really desires that the villages should be improved, there is quite a sufficient number of officers who can be deputed for that purpose without deteriorating the efficiency of the administration. As I say the number of the executive officers, Deputy Magistrates and Sub-Deputy Magistrates has been increased by 100 per cent., and at least 50 per cent. of them can be deputed for doing the work of the circle officers without entertaining additional men, and therefore without putting additional burden upon the people of the country.

I do not want to detain you further, but I say that I oppose any addition to the taxation of the people. The people are being trodden down, the people are dying in numbers from diseases such as malaria, cholera and for want of good drinking water and other things. For God's sake do not put additional burden on them by the entertainment of these officers.

Adjournment.

The Council was then adjourned till 2-30 P.M. on Wednesday, the 17th March, 1926, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Wednesday, the 17th March, 1926, at 2-30 P.M.

Present:

The Hon'ble the President (Kumar SHIB SHEKHARESWAR RAY) in the Chair, the four Hon'ble Members of the Executive Council, and 59 nominated and elected members.

Starred Questions

(to which oral answers were given).

Steamship Companies, receipt of subsidies from Government or other public bodies by.

*CXXVII. **Maulvi A. K. FAZL-UL HUQ:** (*a*) Will the Hon'ble Member in charge of the Marine Department be pleased to state whether the Steamship Companies are in receipt of any subsidies or other contributions from Government or any public bodies?

(*b*) If so, for what purpose, by whom and for what amount are these subsidies or contributions received?

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. J. Donald): (*a*) and (*b*) Government pay Rs. 4,500 to the India General Navigation and Rivers Steam Navigation Companies for the supply of pilots to Government vessels. The District Boards of Pabna and the 24-Parganas pay, respectively, about Rs. 5,000 and Rs. 1,200 per annum for the maintenance of certain steamer services in these districts. It is understood that the Postal Department pay subsidies for the carriage of mails.

Office-jaunts, registration of.

*CXXVIII. **Dr. H. W. B. MORENO:** (*a*) Will the Hon'ble Member in charge of the Police Department concerned be pleased to state whether the Government are contemplating legislation as to the registration of office-jaunts plying in Calcutta, as approved by the Police Committee of the Bengal Legislative Council?

(*b*) If so, when is such legislation likely to be introduced?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Sir Hugh Stephenson): (*a*) and (*b*) The reply to the first part of the question is in the affirmative. In August last a Bill was drafted for amending the Hackney Carriage Act I of 1919, but the definition of an office-jaun proposed in the Bill was found to be defective and the legal advisers of Government have been asked to frame a definition which will apply to the kind of vehicles whose registration is considered necessary.

Dr. H. W. B. MORENO: Does Government think fit to consult public bodies as to the definition of the term "office jaun"?

The Hon'ble Sir HUGH STEPHENSON: I think it is more a legal question than a question of policy which concerns public bodies. The difficulty is in getting a definition which will include the vehicles which we want to get at, and not include those we do not want to touch. I do not think any good will be done by consulting public bodies.

Dr. H. W. B. MORENO: Will the Hon'ble Member be pleased to give us the names of the legal advisers whose advice has been asked on this question?

The Hon'ble Sir HUGH STEPHENSON: Our own legal officers in our legal department.

Narayanganj Municipality.

***CXXIX. Mr. TARIT BHUSAN ROY:** (*a*) Will the Hon'ble Member in charge of the Department of Local Self-Government be pleased to state why no fresh elections have yet been held in Wards No. I and III of the Narayanganj Municipality although the general elections in respect of such Wards had been set aside by the District Magistrate of Dacca on the 9th and 29th of October, 1925?

(*b*) Did Mr. DeLisle assume the Chairmanship of the Narayanganj Municipality on his return from leave on the 26th August, 1925, before Mr. Morrison who was elected as Chairman in his place resigned on the 1st of December, 1925?

(*c*) If so, why?

(*d*) Will the Hon'ble Member be pleased to state whether between the 26th of August, 1925, and the 1st December, 1925, altogether five Commissioners—Mr. Morrison, Mr. Steven, Mr. DeLisle, Mr. Vincent and Mr. Shirrore—all members of the Narayanganj Chamber of Commerce were acting as nominated Commissioners of the Narayanganj Municipality although the statutory limit was four?

(*e*) Is it a fact that the Indian Commercial Community of Narayanganj pay one-third of the total income of the Municipality as taxes?

(*f*) Are the Government considering the desirability of allocating at least one nominated seat to such community?

MEMBER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur of Nadia): (*a*) Because a civil suit to declare the general election null and void is pending.

(*b*) Mr. DeLisle resigned on 30th April, 1925, and left India. He has not since returned.

(*c*) Does not arise.

(*d*) In the period referred to there were only four nominated Commissioners and not five, *viz.* (1) Mr. Steven, (2) Mr. Shircore, (3) Mr. Donald and (4) Mr. Macartney. Of whom Mr. Steven resigned on 23rd November, 1925. Mr. DeLisle was not in India at this time.

(*e*) No.

(*f*) Government do not propose to consider this question in advance before the Commissioner submits recommendations.

Narayanganj repair yard, extensions to.

***CXXX. Mr. S. A. SKINNER:** Will the Hon'ble Member in charge of the Marine Department be pleased to state—

(*i*) whether it is a fact that Government have in hand large extensions to their workshops, including a new slipway, at Narayanganj, for the repair of ships and river craft;

(*ii*) if the answer to (*i*) be in the affirmative, what is the estimated cost of such works; and

(*iii*) whether it is a fact that there are in existence private concerns able to cope with this class of work?

The Hon'ble Mr. J. DONALD: (*i*) The Retrenchment Committee recommended that the repair yard for River Police craft at Narayanganj maintained by the Police Department should be placed in charge of the Marine Department and utilized, after expansion if necessary, for the repairs of all Government vessels, inclusive of the River Police craft, in the Eastern Division. Government accepted this recommendation and last year, with the approval of the Legislative Council, purchased on very favourable terms the property of the Angus Co., Ltd., at Narayanganj with the object of establishing there an improved

repair yard. The reasons which led Government to propose and the Legislative Council to agree to the purchase of this property are contained in the Memorandum, which was circulated to all members of the Legislative Council in March of last year previous to the supplementary grant being voted by the Council. A copy of the Memorandum is laid on the table.

A slipway is under construction at the new site. Funds for the construction of the slipway were provided in the supplementary grants voted by the Council in August last.

	Rs.
(*ii*) Purchase of site and buildings ...	1,60,000
Construction of the slipway ...	55,000

(*iii*) There are no private concerns in the Eastern Division capable of carrying out refits to floating craft. There are such firms in Calcutta.

Referred to in the reply to starred question No. CXXX.

GOVERNMENT OF BENGAL.

MARINE DEPARTMENT.

MEMORANDUM

1. The Retrenchment Committee in Chapter XXV of their report recommended that the launches used by Government officers should be pooled. Government have accepted this recommendation and with certain exceptions Government launches have been pooled and brought under the control of the Marine Department.

2. The launches of the eastern districts including those stationed at Khulna and Chittagong and the River Police launches are repaired at the Narayanganj River Police Repair Depôt. This depôt was designed originally to deal with River Police launches only and as was anticipated by the Retrenchment Committee must be extended and improved if it is to deal efficiently with more than double the number of launches. The present buildings used by the repair depôt are *kutcha* structures in poor order and will have to be replaced in the immediate future by larger and more permanent structures at considerable cost to Government. The Retrenchment Committee recommended the purchase of stores in bulk but it has been impossible so far to adopt this recommendation because of the absence of suitable godown accommodation.

3. Government hold the present site of the repair depôt on a lease for 25 years dating from 1909. The site is occupied partly by the repair depôt and partly by the barracks, offices and parade ground of the

River Police. The area is 32 bighas including a considerable area of *khal*. All the buildings on the site are of a temporary nature. The rent paid is Rs. 7,500 to the sub-lessors *plus* Rs. 510 to the superior landlords. Under the lease Government have the right to purchase the right, title, and interest of the sub-lessors for Rs. 1,04,190.

4. The Angus Co., Ltd., have agreed to sell to Government the site of their jute press at Narayanganj together with buildings and machinery for Rs. 1,60,000. The area of the site is 65 bighas of which 40 bighas are high and 25 bighas are low land and tank. The land is held under permanent leases and the rent is Rs. 705-9-2 *plus* Rs. 19-4-7½ Government revenue. The site is on the same side (east) of the River Lakhya as the existing River Police Depôt but 1½ miles to the south.

The buildings on the site are as follows:—

(*a*) A two-storied *pucca* office building.

(*b*) One one-storied masonry bungalow.

(*c*) One one-storied masonry bungalow.

(*d*) Six buildings of corrugated iron, five with concrete-plinths, with a total area of 69,300 square feet.

(*e*) Servants' quarters and kitchens.

(*f*) Cooly lines in four one-storied blocks of 20 rooms each.

(*g*) Two Donaldson patent latrines.

The machinery includes a Jewel Filter (capacity 500 gallons per hour), a Worthington Duplex Pump, three water tanks with pipe connections, one 8 horse-power steam engine, dynamo, etc. The entire frontage is rivetted with brick and is not liable to erosion.

5. It is proposed that Government should purchase the above property instead of exercising the option to purchase the existing site and transfer thereto the repair depôt and ultimately the River Police lines. The difference in price is less than Rs. 60,000 and for this small difference Government will obtain not only a much larger site but also buildings which would cost many lakhs to construct.

The proposed site is not only large enough to accommodate both the dockyard and the River Police force stationed at Narayanganj but also allows ample room for expansion. The buildings on the site will afford ample accommodation for the repair depôt and will in addition provide housing accommodation for the Engineer-Commander in charge of the depôt, the foreman, the Superintendent of River Police and barracks for constables.

6. The Council is, therefore, asked to vote a supplementary grant of Rs. 1,60,000 under the head "27—Ports and Pilotage (Provincial)" to purchase this property.

Unstarred Questions

(answers to which were laid on the table).

Malaria in Dacca Division.

162. Babu JATINDRA NATH BASU: (*a*) Has the attention of the Hon'ble Member in charge of the Department of Local Self-Government been drawn to the gradual spread of malarious fever in the Dacca Division?

(*b*) Have any steps been taken to prevent the spread?

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: (*a*) Statistics for the last five years show that malaria is decreasing rather than spreading in the Dacca Division.

(*b*) This question hardly arises. The usual methods of combating malaria have been followed, *viz.*, free distribution of quinine and grants-in-aid to anti-malaria societies and local bodies.

Sanskrit Collegiate School, pay of pandits of.

103. Babu JATINDRA NATH BASU: Will the Hon'ble Member in charge of the Department of Education be pleased to state whether the Government are considering the desirability of paying a suitable additional pay or allowance to the pandits of the Sanskrit Collegiate School having regard to the nature and quality of their work?

MEMBER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. J. Donald): The pay of the pandits of the Sanskrit Collegiate School was revised with effect from the 1st September, 1921, in connection with reorganisation of the services below the Bengal Educational Service. No further revision of their pay is contemplated.

Muhammadan Marriage Registration and Kazi Acts.

104. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble Member in charge of the Department of Education (Registration) be pleased to state what is the result of the Committee formed by the Government to discuss and decide about the Muhammadan Marriage Registration and Kazi Acts, and other connected papers together with my two amendment bills of which one was introduced and the other was submitted for introduction?

(*b*) Is the Hon'ble Member aware that many false and forged Kabin Nama and Talak Nama are being registered in the Bengal Presidency?

MEMBER in charge of DEPARTMENT of EDUCATION [REGISTRATION] (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur): (*a*) I would refer the mover to the answer given to his own question No. 61 at the meeting of the Legislative Council held on 18th February, 1924. No report was submitted by the Committee.

(*b*) The answer is in the negative.

Government Press, reduction of expenditure due to introduction of new machines in.

105. Mr. K. C. RAY CHAUDHURI: Will the Hon'ble Member in charge of the Finance Department be pleased to state the reduction in expenditure on the establishment of the Bengal Government Press since the introduction of the new machines?

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. J. Donald): It is presumed that the hon'ble member refers to Mono Composing Machines. It is not possible to give any estimate of the reduction effected in establishment charges by the introduction of these machines, as establishment charges are effected by numerous other factors.

Publication in the Press of extracts from a Report of the Select Committee before its presentation.

The Hon'ble Mr. J. DONALD: I would like to draw attention to a point of order regarding an article which appeared in this morning's *Statesman*. It contained extracts from a report of a Select Committee, a report which has not yet been presented to this Council. The Council, I think, have reason to complain about the publishing of a report of a Committee of the Council which has not yet been submitted to the Council. I would ask you, Sir, to take notice of this.

Mr. PRESIDENT: Members are aware of section 55 of the Rules and Standing Orders which provides that all proceedings of any Select Committee shall be treated as confidential and its recommendations shall not be disclosed until the report has been made available for the use of each member of the Council, or has been published in the local official Gazette. It therefore amounts to a breach of privilege for any member of a Select Committee to disclose information in regard to proceedings of a Select Committee sitting on a Bill, and I trust that hon'ble members will bear this in mind.

I also think that it will not be out of place for me to state that I am sure that the *Statesman* published this information under a *bona fide* belief that it was not an infringement of the privileges of this House. I trust however that all responsible newspapers will note for the future that the privileges of the Council should be respected.

GOVERNMENT BUSINESS.

The Budget of the Government of Bengal for 1926-27.

Demands for grants.

22—General Administration.

Maulvi SAYYED SULTAN ALI: Sir, yesterday there was an expression of opinion against the introduction of Union Boards by Mr. Guha who also cast some reflections upon a Circle Officer. In supporting Mr. Guha, Babu Sarat Chandra Basu said that he did not see Union Boards doing anything conducive to the welfare of its people. Sir, I support Mr. Guha so far that Union Boards should not be thrust upon the people against their will. But as exception can never prove any rule, I do not understand the logic of the proposition that because some people of a certain locality of Barisal are against the introduction of Union Boards, the whole scheme should be done away with.

Sir, as far as I understand Mr. Guha has believed certain allegation which should not have been so easily believed. Mr. Guha believes that it was the Circle Officer who sent up the names of 9 persons for nomination without their knowledge, as elections failed several times. Sir, before we believe such a story we must understand the real and responsible position of the Circle Officer. Having regard to the attitude of the people of the locality it was not at all likely that the Circle Officer would venture to send up the names of persons without their knowledge, the result of which was likely to place himself and the District Magistrate in a most ludicrous position for which he would have been held solely responsible. As far as I understand the actual position was this, that these 9 persons agreed to serve and so their names were sent up but ultimately when pressure was brought to bear upon them by their co-villagers who were the most advanced people of the district in respect of education, as has been described by Mr. Guha, and who must necessarily possess influence, those 9 persons in order to avoid troubles denied all knowledge of their nomination.

Sir, we must remember that Circle Officers are Sub-Deputy Collectors who can revert to their posts if they like. Consequently they have got no business to try to establish Union Boards by any means fair or foul. At the same time we must remember that they are all well educated and respectable gentlemen as well as responsible Government officials. Sir, in reply to Mr. Basu I will mention a few points only. That the Union Boards have been giving good political education to the people is clear from the fact that in the last Local Board elections the number of candidates, and the voters present were far greater than any other previous years. Mr. Basu must know that the Union Boards have been making new roads and drains and maintaining old ones. In some

places primary schools have been established with the help of the D trict Board under its supervision. It has also been dealing with question of water-supply. Sir, we ought not to expect too much fr these new institutions. At the same time I must say, Sir, with all emphasis I can command, that Government should make a sinc endeavour to relieve the people from the burden of taxation where it is possible. In this connection I must also remind Government t there is much room for improvement of the Village Self-Governm Act which must be made at an early date consistent with the wishes the peoples' representatives in this Council.

CHIEF SECRETARY (Mr. L. Birley): Sir, a few years ago when was in Chittagong I went to the house of the collecting member of Chaukidari panchayet with the Circle Officer to look into the chaukid work and to speak about the Village Self-Government Act. When w had sat down in the house of the collecting member, the door in fro of me was closed, and when I looked up I saw that something w chalked on the door, and what was chalked on the door was this *"Amra samasta cheshta karibo jahate shigri swaraj haibe"*. Th manifestations of Swaraj as interpreted at that time in Chittagong wer rather unpleasant, and my host felt uncomfortable on seeing thi because he knew nothing about it. As a matter of fact these words n doubt had been written by a naughty boy who had afterwards run awa However, I had no difficulty in reassuring my host because I told hi that this test was very opportune as it happened to be precisely th subject about which I intended to speak.

Shortly afterwards, when I came to this Council I was led to enter tain the suspicion that perhaps that naughty boy had been Maulvi Md. Nurul Huq Chaudhury of Chittagong. (Laughter.) I never mentioned it to him, and I am glad that I did not, because something which occurred three days ago caused me to change my mind, and I now believe that it must have been Mr. Sen Gupta. (Laughter.)

The point of this story to which I attach importance is this, that to write Swaraj on a door and run away is a comparatively easy feat, but to build Swaraj on sure foundations is a task which requires unremitting labour and consequently it requires a salaried staff, I wish to make clear that the opinion of Government is that without Circle Officers to do the work there is no chance of building this Swaraj from the bottom on sure foundations.

Mr. Guha told us that a Circle Officer had spent three years in Bakarganj and the only duty which he had performed was to preach the blessings of the Village Self-Government Act. I shall inquire whether this is correct, because if that is so he did not do all that was expected of him. There are three things that he was expected to do

is to make the chaukidari assessment as fair as possible before introduction of the Village Self-Government Act, and the second is to persuade the best men available to be members of the panchayet, because it is found by experience that these people will stand afterwards for election to the Union Board, and the third thing which is troublesome and which it is very important to have done before beginning, is that the boundaries of the Unions should be properly settled so that when they begin work they shall not have any trouble in this matter. These three things take a long time, and if nothing has been done except preaching the blessings of the Village Self-Government Act for three years, it does not require a Circle Officer to do that, but that is not all that is wanted.

The experience of Government is that the success of this Act depends upon whether there has been adequate preparatory work by Circle Officers in the district. That was my experience in Dacca and in Burdwan. In those districts there had been Circle Officers at work for a long time before the Act was introduced. The Act was introduced there very soon after it was passed, and the general opinion is that in these two districts it has been very successful. A contrast to this was Midnapore, where it is known the Act was introduced in a considerable part of the district, and after some time it had to be withdrawn. In my opinion—I was there at the time—the main reason why the Act had to be withdrawn in Midnapore and was not successful was that this preliminary work had not been done by the Circle Officers. Taxation was unfair, and I remember in one Union in Midnapore I found that the tax of a wealthy mahajan was written down at Rs. 12 a year which is the highest tax which may be levied. He was shown as having paid. I made further enquiries and found that he had not paid at all and never did: then I asked how it was that the account had been squared. I then ascertained that the collecting member kept a subsidiary list of persons who were required to pay six annas, and that he recouped and more than recouped the loss on this sum of Rs. 12, by collecting that from a number of poor people who were shown in the regular account book as exempted. This is the kind of thing that has to be corrected. There was another man in Midnapore, whom I asked to show me his receipt book for collecting chaukidari tax; he said he had collected chaukidari tax for 20 years and had never given a receipt. When I expressed surprise he said that he was a very honest man and every one trusted him. I said that I also was very trustworthy, and as he was a tenant in a Government estate, I would not give him a receipt for his rent. He did not see that at all. (Laughter.)

Now, Sir, in Midnapore, there was a great deal of this kind of thing going on and people were led to believe that the Village Self-Government Act would lead to more of it; it was not surprising that they were ready to believe this. It is necessary to have preparation before hand and in Chittagong, where there had been very little preparation, I came to

the conclusion in 1922 that the earliest possible time at which Union Boards could be expected to come into being was in 1925, after three years' preparation; the elections took place in 1925 and I understand that the Boards are getting on fairly well.

From what Mr. Guha said about Bakarganj I think it very likely that conditions there are like what they were in Midnapore. The Commissioner of the Dacca Division told me about a week ago that chaukidari work was bad in Bakarganj. He has been trying for a long time to get a sufficient number of Circle Officers for that district.

Mr. Guha told us that he has found a new method of taxation and that you can obtain seven times as much value by collecting taxes in kind instead of in cash. Mr. Guha failed in his duty in not offering himself as a witness to the Taxation Enquiry Committee. I have a little doubt myself about this method, but it is a technical subject which I have not yet studied. If Mr. Guha has read the report of the Taxation Enquiry Committee he will have read two conclusions at which they have arrived which are very pertinent to this question. The Taxation Enquiry Committee alluded to the fact that in India the tendency has been first of all to create large self-governing units and to develope downwards, whereas in other countries the development has taken place by the federation of small units. What the Taxation Enquiry Committee said is this: "Facility for raising contributions for local purposes increases as the size of the unit of taxation decreases". They urge the restoration of the panchayet and the restriction of the functions of the larger bodies, and the reason for this course is that a man does not object so much to paying taxes for what he is going to see. The second point that the Taxation Committee made was that they emphasised the need for provincial control over assessment and collection, and they pointed out that in this country the practice of having the whole of the assessment and collection in the hands of elected members is not the ordinary practice. It is obviously impossible to have a very well-paid staff for each Union Board and therefore the only method of securing professional control is to have well-paid officers who will be able to look after several unions. I suggest to Mr. Guha that he is coming perilously close to the Swarajists when he says that nothing should be done until the Act is altered, and at the same time he has not told us what is wrong with the Act. So far as I could gather, what the people in Bakarganj do not like is paying for the chaukidar, but that is what they had to do before. Mr. Guha has not diagnosed the disease. I have had a good deal of experience in diagnosing these diseases and I think that Maulvi Sayyed Sultan Ali is probably correct. Two things are very likely to have happened, one is that the assessment to chaukidari tax was not fair and the other is that the people of Bakarganj were told that things are in the Village Self-Government Act which are not there. This was what occurred in Midnapore.

Mr. Guha greatly strengthens the case for the appointment of Circle Officers.

Mr. Sarat Chandra Basu paid a tribute to the Circle Officers in the Burdwan district for which I gratefully thank him. I have no doubt he is referring in particular to two officers there who had worked for some years before the Act was passed. These two officers gained the confidence of the people and it is to them that the success of the Act in Burdwan is very largely due. I am very glad to find that in this discussion no fault has been found with Circle Officers except the fault that they are too young. The only remedy for this is to appoint them as soon as possible. It is quite true that the older ones very often inspire the confidence of the people more than the younger, but there is no help for that the fault of youth except to appoint them and give them a chance of growing up. (Laughter.)

I also gratefully acknowledge the tribute that has been paid by Mr. Sarat Chandra Basu to the District Magistrate, but although I am grateful for it, I do not agree with him and I think he is out of date. I discovered 13 years ago when in Dacca that the District Magistrate cannot do everything in the district. I discovered by practical experience that there are insuperable difficulties in the way of carrying out small works through the medium of a central body which is at a distance from the work. The essential thing which is necessary to secure that the local work shall be properly done is a person in control on the spot who is going to benefit if the work is done well, and is going to lose if it is done badly. Therefore I do not agree with Mr. Basu when he says that the District Magistrate can do everything and there is no need for Union Boards and Circle Officers.

Mr. Basu also opposes additional taxation but I feel certain that in Burdwan district taxation has been imposed voluntarily and not otherwise. I do not quite see why the Village Self-Government Act of 1919 should be held responsible for the resumption of the chaukidari *chakran* lands under the Act of 1870. Mr. Basu is an admirer not of the time when he was a boy but of the time when his grandfather was a boy. Mr. Basu is an ultra conservative. Mr. Travers and Maulvi Sayyed Sultan Ali and I have more faith in the capacity of the people of Bengal for doing work for themselves than those who have supported this motion.

Mr. Guha tells us he is often at Bakarganj but we see him very often here. Mr. Basu is so busy at Asansol and Burdwan that he has not even had time to find out what was the state of affairs in his own village of Memari long before the Village Self-Government Act was passed. There the people under a Union Committee were doing excellent work for sanitation, and all that has been done in the rest of the district is to provide facilities for doing the same thing as has been done there.

There is something very illusive about the Union Board just like the Legislative Council. Many people say that it is no good but everybody wants to go there. (Laughter.) Mr. Basu told us that they are very unpopular but only 4 days ago I had a letter from the Commissioner of the Burdwan Division telling me that there was great keenness for election to the Union Boards in Burdwan.

A good deal was said yesterday about the Royal Commission and I may be pardoned for referring briefly to one point in that connection again. I have no doubt that after what Sir Hugh Stephenson said yesterday members of this Council did what I did and refreshed their memories about the contents of section 84 (*a*) of the Government of India Act. In it they will have found no doubt that the development of representative institutions is specifically mentioned as one of the subjects which will be considered. Now it is perfectly certain that the Bengal Village Self-Government Act of 1919 will not be left out of consideration. It is not going to be very easy for Bengal to explain how it will have come about that in 10 years that Act has not been extended throughout Bengal. At present it has been extended and is in force in a little more than 1/3rd of Bengal. Owing to the time taken in training Circle Officers the officers who were newly appointed last year will not be able to produce any effect for at least two years because they must have two years' training first. Therefore it is doubtful whether at the end of 10 years it will have been extended over much more than half of the province. That will be difficult to answer. "Financial stringency" may be brought into account for it in the past but this year, when it has been provided for in the Budget, if the Council were to fail to vote the money then I think they would run a great risk of being told hereafter that they have taken a definite step to retard the development of representative institutions. I hope, therefore, that this grant will not be opposed.

Mr. P. N. CUHA: I want to get a little information before I decide whether I will withdraw my motion or not.

Mr. PRESIDENT: You want to put a question?

Mr. P. N. CUHA: I divided my arguments into two parts, one was abstract and the other was.....

Mr. PRESIDENT: I am afraid I cannot allow you to make a statement. You can just put a question if you like.

Mr. P. N. CUHA: My question is: Will the Government take note of the grievances of the particular Union which has been foisted against the wishes of the people of Bakarganj?

Mr. L. BIRLEY: I am sure Government will be glad to take note of those grievances but Mr. Guha unfortunately has omitted to mention them. (Laughter.)

Mr. P. N. GUHA: I refer Mr. Birley to an article in the *Statesman* of to-day. I beg to withdraw my motion.

The following motion was then, by leave of the Council, withdrawn:—

"That the demand of Rs. 48,000 under the head '22—General Administration—K to M—District Administration' for the appointment of additional Circle Officers be refused."

The following motions were called but not moved:—

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 26,89,000 under the head '22K Pay of Deputy and Sub-Deputy Magistrates' (page 79, Civil Estimates) be reduced by Rs. 1,49,000."

Maulvi ZANNOOR AHMED: "That the demand of Rs. 26,89,000 under the head '22K—General Establishment—Pay of Deputy and Sub-Deputy Magistrates' (page 79, Civil Estimate) be reduced by Rs. 1,00,000."

SHAH SYED EMDADUL HUQ: "That the demand of Rs. 28,14,000 under the head '22K—General Establishment—Pay of officers' (page 79, Civil Estimate) be reduced by Rs. 1,28,000."

Babu AMULYA DHONE ADDY: I beg to move that the demand of Rs. 3,80,000 under the head "22K—General Establishment—Travelling allowance" be reduced by Rs. 25,000.

It will appear from the budget that the actuals for the year 1924-25 were Rs. 3,44,594; the revised estimate for the current year was Rs. 3,55,000 and in the budget estimate for the ensuing year it is Rs. 3,80,000. So it appears that the amount of travelling allowances has been increasing from year to year notwithstanding the strong recommendations of the Bengal Retrenchment Committee to reduce it. It will appear from that report that it has become a source of income to some of the officers. Notwithstanding the fact that salaries have been materially increased during the last few years, they have been charging travelling allowances more and more. Sir, it is well-known to us that some of the officers travel either in the intermediate or 2nd class and charge fares for a higher class. Therefore I beg to submit that it is not right and proper on the part of these officers to charge fares higher than those that they actually incur. It is also alleged by some officers that it would be loss of dignity on their part if they travel by 3rd class or intermediate class instead of by the first or second class. In this connection I may draw your attention to the fact that a Prime Minister of England did not think

it to be so. We all know that Mr. Gladstone used to travel in 3rd class, and when he was asked as to why he travelled in the third class he said that it was because there was no fourth class. If that be the case with a person like the Prime Minister of Great Britain certainly we here in Bengal may reduce the travelling allowance of our officers, without loss of their dignity.

My suggestion is quite a moderate one. I do not suggest to reduce the amount of their travelling allowance; what I suggest is that it be not increased. I have learnt from the Secretary to the Railway Board that rates of fares are going to be reduced from April next. Under these circumstances we can certainly reduce the amount of travelling allowance without, I think, affecting the efficiency of our administration by making a reduction of Rs. 25,000 only out of a sum of Rs. 3,80,000.

The following motions were called but not moved:—

Maulvi ZANNOOR AHMED: "That the demand of Rs. 3,80,000 under the head '22K—General Establishment—Travelling Allowance' (page 80, Civil Estimate) be reduced by Rs. 25,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 3,80,000 under the head '22K—General Establishment—Travelling Allowance' (page 80, Civil Estimate) be reduced by Rs. 25,000."

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: The revised estimate is not a correct guide for the figure for next year as 50 additional Circle Officers were appointed late in the year. Therefore there has been a considerable saving in the current year's budget on travelling allowance. Next year we have made provision for 32 new Circle Officers and we have got to provide more money for their travelling allowance. I strongly repudiate the charge against the Circle Officers that has been advanced by Babu Amulya Dhone Addy that these travelling allowances are a source of income to these officers; they are not. There is the Finance Department, there is the Audit Department, which constantly check their travelling allowances. These travelling allowances are paid according to the provisions of the Fundamental Rules. It does not concern Government whether Mr. Gladstone did or did not travel in third class. As far as these officers are concerned they must be paid their tavelling allowances under the rules. I strongly oppose this motion.

The motion of Babu Amulya Dhone Addy was then put and lost.

The following motions were called but not moved:—

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 7,000 under the head '22K—General Establishment—Other rewards' (page 80, Civil Estimate) be reduced by Rs. 2,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 1,800 under the head '22K—General Establishment—Fees for *post mortem*' (page 80, Civil Estimate) be reduced by Rs. 800."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 3,09,600 under the head '22K—General Establishment—Contingencies—A—Contract Contingencies' (page 81, Civil Estimate) be reduced by Rs. 10,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 30,000 under the head '22K—General Establishment—Other non-contract charges' (page 81, Civil Estimate) be reduced by Rs. 15,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 57,68,400 under the head '22K—General Establishment' (page 81, Civil Estimate) be reduced by Rs. 2,13,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 2,76,000 under the head '22K—Treasury Establishment' (page 82, Civil Estimate) be reduced by Rs. 11,000."

Babu TARAKNATH MUKERJEA: "That the demand of Rs. 60,44,000 under the head '22K—District Administration—General Establishment' (page 79, Civil Estimate) be reduced by Rs. 4,44,000."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 60,44,000 under the head '22K—District Administration—General Establishment' (page 79, Civil Estimate) be reduced by Rs. 4,25,000."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 60,44,000 under the head '22K to M—District Administration' (page 79, Civil Estimate) be reduced by Rs. 4,00,000."

Babu HEMANTA KUMAR SARKAR: "That the demand of Rs. 60,44,000 under the head '22K to M—District Administration' (page 79, Civil Estimate) be reduced by Re. 1."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 27,000 under the head '22L—Subdivisional Establishment—Travelling Allowance' (page 83, Civil Estimate) be reduced by Rs. 1,500."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 13,200 under the head '22M—Other establishments—Ferry charges—Establishment and contingencies' (page 83, Civil Estimate) be reduced by Rs. 3,200."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 39,700 under the head '22M—Other establishments (page 83, Civil Estimate) be reduced by Rs. 7,700."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 40,000 under the head '22—General Administration—Discretionary Grants by His Excellency the Governor' (page 39, Budget Estimate) be reduced by Rs. 20,000."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 95,47,000 under the head '22—General Administration' (page 61, Civil Estimate) be refused."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 95,47,000 under the head '22—General Administration' (page 61, Civil Estimate) be refused."

Mr. J. CAMPBELL FORRESTER: The motion that stands in my name runs as follows:—

"That the demand of Rs. 95,47,000 under the head '22—General Administration' be reduced by Re. 1."

I am quite sure that you will clearly understand that this is not done with the object of unnecessarily harassing the Government. It is done with the object of calling attention of the House to the fact that I passed a resolution but it has not been given effect to. I feel I have a grievance and I take this opportunity of expressing that grievance. In 1921 I passed the following resolution: "That this Council recommends to the Government that a sum of Rs. 50,000 be provided in the ensuing budget so that an immediate start may be made for the construction of the Bengal Leper Settlement for which land has been given by a private gift." Now that resolution was passed in 1921. I received a letter from Government later on, stating that on account of the financial strain Government could not provide the money. Five or six years have passed and I see nothing in the budget which really points to this resolution being taken note of.

I recognise that in this matter an advance has been made and that your leper dispensaries are doing admirable work but I would like to call attention to the fact that there are more than 1,000 leper beggars in the city of Calcutta.

Mr. PRESIDENT: I am afraid, Mr. Campbell Forrester, you cannot really raise this point in connection with this grant. I think you want to move a vote of censure on the General Administration, but it has got nothing to do with the Leper Asylum.

Mr. J. CAMPBELL FORRESTER: As my resolution has not been carried out, I want to show the necessity for the Asylum.

Mr. PRESIDENT: I would like the opinion of the Hon'ble Finance Member as to whether Mr. Campbell Forrester is relevant.

The Hon'ble Mr. J. DONALD: This subject really comes under the head "Medical".

Mr. PRESIDENT: Mr. Campbell Forrester, I am afraid you are out of order. You must confine your remarks to the General Administration grant.

Mr. J. CAMPBELL FORRESTER: I was endeavouring to show the necessity of the case for the Asylum. But if I am not entitled to criticise the General Administration policy...

Mr. PRESIDENT: Order, order. You cannot bring in that question now: you can bring it up when the Medical head comes under discussion and then you can give vent to your feelings. I think that point is clear to you now.

Mr. J. CAMPBELL FORRESTER: Then I come on to the question of Entertainment Tax. On this question a resolution was passed by this Council. I shall be glad to have your ruling, Sir, if I am to be permitted to criticise the policy of Government as the resolution which was passed by this Council has not been carried out. If I am not to be permitted to do this, in what way can I criticise the General Administration?

Mr. PRESIDENT: I think the best way for you is to move a token vote of censure on an appropriate demand or bring in a resolution for a vote of censure; but you cannot surely discuss things which do not refer to the subjects that are under consideration at present.

Mr. J. CAMPBELL FORRESTER: Sir, in discussing the Budget I would like to point out that no provision has been made for this Rs. 50,000, and I am showing the necessity for it.

Mr. PRESIDENT: It is useless to discuss with you the point of order. I think after all you cannot discuss this matter while we are on this head.

The Hon'ble Mr. J. DONALD: I might make a suggestion, Sir. The question of the Entertainment Tax comes properly under the head of "Scheduled taxes". But the Collector of Calcutta deals with the Scheduled taxes and, as, under the head of General Administration, the Collector of Calcutta is included. I think Mr. Campbell Forrester might therefore be held in order. But the proper time for Mr. Campbell Forrester to have brought in this point was really when we dealt with the head of "Scheduled Taxes".

Mr. PRESIDENT: Mr. Campbell Forrester, I cannot allow you now to go into this question.

Babu AMULYA DHONE ADDY: May I rise to a point of order? The amendment for the reduction of a grant should be regarded as a question as to whether the Administration is satisfactory or not.

Mr. PRESIDENT: That question we have already discussed and we cannot discuss it on each and every amendment.

Mr. F. E. JAMES: May I ask your ruling, Sir, whether Mr. Campbell Forrester is in order.....

Mr. PRESIDENT: Mr. James, I think it is better for Mr. Campbell Forrester to eleborate his point. I cannot allow you to do it on his behalf.

Mr. J. CAMPBELL FORRESTER: The point is that I am asking the demand to be reduced by Re. 1 and I am giving you the reasons why the reduction should be made. I am not sure whether the time we have taken in discussing the points of order would have sufficed me to finish my remarks. But if you think, Sir, that an elected representative in this Council has no right to.....

Mr. PRESIDENT: Mr. Campbell Forrester, you are really doing an injustice to me. I am bound hand and foot by the rules made by you—this Council, and the rules do not allow me to permit you to bring in any matter which is foreign to the matter under discussion.

Mr. J. CAMPBELL FORRESTER: A resolution was passed only yesterday or day before in this Council.....

Mr. PRESIDENT: Will you proceed with your amendment?

Mr. J. CAMPBELL FORRESTER: A resolution was passed by this Council. As a member representing a constituency I feel it my duty to enter my protest against the fact that no notice is taken of resolutions passed by this Council; and I have nothing further to add.

Mr. PRESIDENT: I think you ought to raise this point when we come to the head of "Scheduled taxes". You cannot really blame me for your fault. You are really responsible to your constituency for not doing your duty and not the President.

Mr. F. E. JAMES: I rise to a point of order. I consulted the Legislative Department as to whether, if a member desired to bring to the notice of the Council something in connection with the Entertainment Tax, he will be in order in bringing it while we are under this head. I was informed that such a question could not be raised under a motion to reduce the Scheduled taxes.....

Mr. PRESIDENT: Order, order. You are attaching to my department more importance than to your President. It is not fair to the President.

Mr. F. E. JAMES: I should like to.....

Mr. PRESIDENT: I rule supreme in my department

Dr. H. W. B. MORENO: I desire to say a few words in supporting the motion.

Mr. PRESIDENT: Order, order. It has not been moved at all.

Mr. J. CAMPBELL FORRESTER: I have not been permitted to move it, Sir.

Mr. PRESIDENT: Mr. Campbell Forrester, when you cool down you will have a different opinion of your President.

The motion that a sum of Rs. 95,47,000 be granted for expenditure nder the head "22—General Administration" was then put and agreed

24—Administration of Justice.

The Hon'ble Sir HUGH STEPHENSON: On the recommendation His Excellency the Governor, I beg to move that a sum of s. 85,95,000 be granted for expenditure under the head "24—Administration of Justice" (page 84, Civil Estimate).

The following motions were called but not moved:—

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 13,000 der the head '24A—High Court Judges—Travelling Allowance' ge 85, Civil Estimate) be reduced by Rs. 4,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 53,000 under the head '24A—Original Side—Registrar—Office expenses and miscellaneous (page 85, Civil Estimate) be reduced by Rs. 2,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 80,000 under the head '24A—Original Side—Registrar' (page 85, Civil Estimate) be reduced by Rs. 3,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 1,73,100 under the head '24A—High Court' (page 84, Civil Estimate) be reduced by Rs. 6,000."

Mr. SYED M. MASIH: "That the demand of Rs. 1,73,100 under the head '24A—High Court' (page 84, Civil Estimate) be reduced by Re. 1."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 57,000 under the head '24B—English Law Officers' (page 87, Civil Estimate) be reduced by Rs. 3,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 85,000 under the head '24B—Legal Remembrancer—Fees to pleaders' (page 88, Civil Estimate) be reduced by Rs. 3,000."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 2,11,000 under the head '24B—Law Officers—Legal Remembrancer' (page 88, Civil Estimate) be reduced by Rs. 10,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 2,11,000 under the head '24B—Legal Remembrancer' (page 88, Civil Estimate) be reduced by Rs. 3,000."

Maulvi ZANNOOR AHMED: "That the demand of Rs. 2,30,000 under the head '24B—Law Officers—Fees to pleaders in criminal cases' (page 89, Civil Estimate) be reduced by Rs. 10,000."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 3,04,000 under the head '24B—Law Officers—Mufassal Establishment' (page 89, Civil Estimate) be reduced by Rs. 50,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 3,04,000 under the head '24B—Law Officers—Mufassal Establishment' page 89, Civil Estimate) be reduced by Rs. 20,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 5,72,000 under the head '24B—Law Officers' (page 87, Civil Estimate) be reduced by Rs. 27,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 4,000 under the head '24C—Administrator-General and Official Trustee—Leave Allowance' (page 89, Civil Estimate) be refused."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 4,000 under the head '24C—Administrator-General and Official Trustee—Leave Allowance' (page 89, Civil Estimate) be reduced by Re. 1."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 1,49,000 under the head '24C—Administrator-General and Official Trustee' (page 89, Civil Estimate) be reduced by Rs. 3,700."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 1,100 under the head '24E—Presidency Magistrates' Courts—Travelling Allowances' (page 91, Civil Estimate) be refused."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 14,000 under the head '24E—Presidency Magistrates' Courts—Other non-contract charges' (page 91, Civil Estimate) be reduced by Rs. 7,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 1,61,400 under the head '24E—Presidency Magistrates' (page 91, Civil Estimate) be reduced by Rs. 6,000."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 5,875 under the head '24E—Presidency Magistrates' Courts—Juvenile Court and Detention House, etc.—Office Expenses and Miscellaneous' (page 91, Civil Estimate) be reduced by Rs. 2,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 1,86,400 under the head '24E Presidency Magistrates' Courts' (page 90, Civil Estimate) be reduced by Rs. 5,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 16,75,300 under the head '24F—Civil and Sessions Courts—Pay of Munsifs' (page 92, Civil Estimate) be reduced by Rs. 8,400."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 96,000 under the head '24F—Civil and Sessions Courts—Provision for temporary District and Sessions Judges' (page 92, Civil Estimate) be refused."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 96,000 under the head '24F—Civil and Sessions Courts—Provision for temporary District and Sessions Judges' (page 92, Civil Estimate) be reduced by Rs. 47,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 96,000 under the head '24F—Civil and Sessions Courts—Provision for temporary District and Sessions Judges' (page 92, Civil Estimate) be reduced by Re. 1."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 1,80,000 under the head '24F—Civil and Sessions Courts—Contract Contingencies' (page 93, Civil Estimate) be reduced by Rs. 50,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 9,000 under the head '24F—Process-serving Establishment—Temporary Establishment' (page 93, Civil Estimate) be reduced by Rs. 7,000."

Babu HEMANTA KUMAR SARKAR: "That the demand of Rs. 14,50,200 under the head '24F—Civil and Sessions Courts—Process-serving Establishment' (page 93, Civil Estimate) be refused."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 71,23,000 under the head '24F—Civil and Sessions Courts' (page 92, Civil Estimate) be reduced by Rs. 1,32,000."

Maulvi ZANNOOR AHMED: "That the demand of Rs. 71,23,000 under the head '24F—Civil and Sessions Courts' (page 92, Civil Estimate) be reduced by Rs. 1,00,000."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 85,95,000 under the head '24—Administration of Justice' (page 84, Civil Estimate) be refused."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 85,95,000 under the head '24—Administration of Justice' (page 84, Civil Estimate) be reduced by Rs. 50,40,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 85,95,000 under the head '24—Administration of Justice' (page 84, Civil Estimate) be reduced by Rs. 1,68,000."

Maulvi SAYYED SULTAN ALI: I beg to move that the demand of Rs. 85,95,000 under the head "24—Administration of Justice" (page 84, Civil Estimate) be reduced by Re. 1.

I move this resolution for the purpose of discussing the policy of the administration of justice and for the purpose of emphasising upon the Government our disapproval of the manner in which the administration of justice is carried on in respect of appointments. I will deal with the appointment of Munsifs only. The major portion of the revenue arising out of this head comes from the Mussalmans, but to their misfortune they are almost entirely precluded from enjoying the

corresponding benefit derivable from it—I mean in respect of the appointment of Munsifs. The glaring injustice done to the Mussalman community is that they have been kept out on some pretext or other from those appointment. Formerly we used to hear that the Hon'ble High Court was quite willing to appoint Mussalmans in those posts, but suitable candidates were not available. We the Mussalmans had to be content with such a reply, but in recent years things have too rapidly changed and the number of qualified Mussalman candidates is such that all the appointments may be conveniently filled up by the Mussalmans. In spite of that, the High Court is not showing any inclination to do justice to our community in this respect. If the appointing authorities want to keep us out on the ground that it is to oblige the Hindu Munsifs, Subordinate Judges and District Judges by appointing their sons and sons-in-law and other relations, which is usually done, then let them plainly tell us that the Mussalmans will have no place in the judicial service in this province. If the appointing authorities want to keep us out in the name of University qualifications then I must say that when 60 per cent. of the Subordinate Judges who are B.A., B.Ls., only have been discharging their duties efficiently there is no reason why the Mussalman B.A., B.Ls., will not show equal efficiency in the service if they are appointed.

If it is sought to keep us out in the name of efficiency then I must challenge the appointing authorities to show where the Muhammadan judicial officers have shown inefficiency. On the other hand those Muhammadan officers who are in the judicial service have shown equal efficiency with their fellow officers. Under the circumstances I find no justification for shutting us out. In this connection I am to add that when the Bengal Government have recently recognised the efficiency of the Mussalman officers serving under it, there is no reason why the Mussalmans will prove otherwise in the judicial service if they are appointed.

It is quite well known to us all that recently the Government of Bengal made a sincere attempt to remove the just grievances of the Mussalman community in the matter of appointment of Munsifs, but to no effect. There are about 300 judicial officers in the Provincial Service out of which there is not even a dozen Mussalman officers. Sir, is it not simply scandalous? When the Calcutta High Court has shown obstinacy in the matter, there is no other alternative but to amend the law in such a manner as to relieve the High Court from the irksome duty of appointing judicial officers in the Provincial Judicial Service and vest it in the Local Government. As long as that is not done we must show our disapproval of the administration of that department.

Maulvi EKRAMUL HUQ: This amendment stands in my name also but as it has been moved by my friend, Sayyed Sultan Ali, I beg

to support the motion. Government have generally been very slow in recognising the claims of Muhammadans to the loaves and fishes of the State. Fortunately, they have roused themselves from their slumber and they are now trying to give Muhammadans at least a portion of their dues. Sir, so far as the Judicial Service is concerned, I am afraid nothing has been done towards satisfying the claims of the Muhammadan community. Do Government think that the Muhammadans do not exist in the land? Do they think that the act of ignoring the claims of the Muhammadans will not in the least affect the temper of the community towards the administration of the country? If they do, then they should revise their ideas to some extent at least. It is the duty of Government to be just to everybody and when they find that in the matter of appointments they get Muhammadans who are quite able to discharge their duties and possess the necessary qualifications they must be employed to the positions which fall vacant. They are as much capable of doing work as are Hindus. You have fixed a standard of qualifications and if the Muhammadans satisfy that standard, then why not fill vacancies with the qualified Muhammadans. Sir, I need not add anything further to what has been said by my friend Sir Abd-ur-Rahim.

Sir ABD-UR-RAHIM: As in the general discussion of the Budget I said something on this question, I feel it my duty that I should now explain more fully my position as well as that of the community which I represent, especially the members of our party on this subject. The question has roused the interest of the community for some time and I am afraid it has engendered a certain amount of feeling. The position is this: No body can deny that it is unsatisfactory in a Province where there are 26 million Muhammadans and their affairs are administered by 350 or so judicial officers there should be only about a dozen or so Muhammadan judicial officers out of 350 judicial officers. This had not always been the case. Sometime back Muhammadan judicial officers largely manned the service but recently such officers have disappeared from the department. I do not want to go into the history of the matter but there cannot be the least doubt that competent and qualified Muhammadans are forthcoming who can safely be appointed to the Subordinate Judicial Service as Munsifs, and if they are so appointed there is not the least doubt for apprehending that they will not discharge their duties to the satisfaction of the public. The Civil Court Act places the duty of selecting Munsifs in the hands of the High Court. This is purely an administrative duty and whatever might have been the justification in the olden days for asking the High Court Judges to make these selections and leaving it to the Government only to gazette the appointments, there can be no longer any justification for the continuance of that state of affairs, especially now-a-days when every administrative arrangement is bound

to be examined and canvassed by public opinion and in this Council. In these circumstances it cannot be safe to leave such administrative duties in the hands of the High Court. The consequence otherwise would be that the action of the High Court is bound to be keenly discussed in the Council and by the public and surely it would not be desirable that the conduct of the High Court Judges should be discussed in this way. Feeling is bound to come in. And on that particular ground alone it is expedient that the learned Judges of the High Court should have nothing to do with the administration of the judicial services. With their judicial duties no body can have anything to say. They are there for deciding cases. The law provides for different groups of courts and if there is an error committed by one court there is an appeal to another court and lastly to the High Court. So far as that is concerned, we can safely leave everything, we must leave everything to the High Court. But when it comes to the making of appointments the privilege is entirely that of the Crown. Take England from which our system is more or less derived. There the judicial appointments are made not by the Judges of the High Court but by the Government or by officers who are discharging executive duties. In this country there has always been a presistent cry for the separation of judicial duties from the executive. If there is any substance in that cry, those who support that demand must concede that the first thing necessary is to relieve the learned Judges of the High Court from anything like executive or administrative duties outside the High Court itself. Of course one can easily understand that for the ministerial appointments that are to be made in the High Court, the Judges are the best to decide what sort of men they require, but in the appointment of judicial services outside the High Court, the appointment of judicial officers, that, is an inalienable privilege of the Crown and the responsibility must rest entirely with the Government. And if the Government chooses to rid itself of that responsibility the public would still look to the Government in order to see that the administration of the judicial services is carried on so as to satisfy the entire inhabitants and different communities.

There is another matter. The learned Judges of the High Court have very exacting duties to perform, and those who have to work in the Courts and have sat on the Bench of the High Court must realize that their duties are such that at the end of the day it is idle to expect that they would be able to bring fresh energy to bear on their other duties. Then public opinion does not enter the High Court freely and it is right that it should not. Newspaper criticism of the conduct of Judges should also ordinarily be excluded. When learned Judges make appointments in their chamber to such large and important service as the judicial service it cannot be expected that they will be able to take into consideration all the various important aspects in the matter. All that

they can be expected to do is to see whether a particular man has got but a few marks more than another or whether a particular man has got relations in the judicial service which the other man has not, and the appointment is determined either by the former or by some sort of hereditary principle. That is the sort of mechanical appraisement that can be expected from them. But Government are open to public opinion and who know how things are moving in the country at large, with them other considerations will prevail. I say that it is unfair to the Judges to impose this task on them. They cannot possibly be expected to perform this task to the entire satisfaction of the public. As I said at one time it was possible that sufficient number of Muhammadans were not forthcoming, but I say this without the least fear of contradiction that at the present moment you can fill all the appointments that are made every year with fully qualified Muhammadans. Then how is it that the Muhammadans have not the chance. As regards University Degrees they have got the B.L. Degree which is a necessary qualification, as regards the relations in the judicial service unfortunately for two generations Muhammadans have not had the chance of getting appointments. But if the High Court were to go a little further back they would have to fill every appointment with them. I submit that there is every reason for not continuing the present state of things but it is for the Government to take the task of making appointments in their own hands We now have some sort of responsible Government, and what is more Indianization of services is a settled policy with the Government. What meaning can the Indianization of services have for my community if they are altogether excluded from the services of such importance as the judicial service.

Sir, in anything that I have said to-day I have not the least desire, nor can I be suspected of casting any reflection on the impartiality of the Judges of the High Court. That they are perfectly impartial there can be no reason to doubt. But they are bound to take a narrow view of things, and if in a matter of this importance they take a narrow view of things, it is bound to create political difficulties. I am saying this deliberately and advisedly because as every body is aware this matter has created considerable feeling among the Muhammadans and it must be stopped. I therefore submit to the Government that, in the circumstances, the only course left is to amend the Civil Courts Act and take the power in their own hands and make the appointments on some general principle The principle applying to other services must be applied to this service also. With these words I support the amendment of Maulvi Sayyed Sultan Ali.

Babu AMULYA DHONE ADDY: Sir, I thank my esteemed friend Maulvi Sayyed Sultan Ali for his noble attempt to give more employment to the Muhammadans. But I am really sorry to find that Sir Abd-ur-Rahim, who was in charge of the department of administration

of justice, has supported the amendment of Maulvi Sayyed Sultan Ali. This is an amendment for the reduction of the grant under Administration of Justice by Re. 1, but is really a resolution for a vote of censure on the administration of justice in Bengal. Sir, it has been stated that out of 350 Munsifs, there are not more than 12 Muhammadan Munsifs, and I am really sorry for this. The number of Muhammadan Munsifs should be increased. But the question has been raised that the High Court has been most negligent in the discharge of its duties in connection with the appointment of Munsifs, and, therefore, my friend suggests that the number of Muhammadan Munsifs should be materially increased. I beg to submit that I have the greatest confidence in the High Court, not only in the administration of justice, but also in the appointment of their officers, and I am sure that in appointing Munsifs they take into consideration the qualifications and experience of the candidates. Sir, if undue preference is given to Muhammadan candidates for the posts of Munsifs, it will be a case of sheer injustice to the Hindu candidates. A rule has been framed in the case of appointments under the Government of Bengal that 45 per cent. of the appointments are to be given to Muhammadans. This has created discontent amongst the Hindus. (Question.) I answer in the affirmative. Being a Hindu and the representative of a certain section of the Hindus in Bengal I am entitled to say that. I do not mean to say that it is the Hindus alone who should be appointed to these posts: my contention is that the best of candidates should be appointed, be they Hindus, Muhammadans, Indians or Europeans. Sir, it has been proposed that the appointment of Munsifs should be vested in some of the officers of the Government of Bengal and not in the Judges of the High Court. I beg to submit that if this be done, the result would be disastrous. The High Court is really the fountain of justice: no influence can be exercised over the Hon'ble Judges of the High Court. We have the greatest confidence in their sense of justice. Sir, in the case of appointments of members of the Provincial Civil Service, the appointments are made by competitive examination, and, therefore, Hindus and Muhammadans get equal chance of being appointed. If that suggestion is made in the case of the appointments of Munsifs also, I have not the slightest objection. Let the best of candidates be appointed; but I am strongly opposed to giving preference to Muhammadan candidates. I know that the Muhammadan population in Bengal is more than the Hindu population; but what about Muhammadan graduates. Is not the number of Muhammadan graduates infinitesimally small in comparison with the number of Hindu graduates? How many Bachelors in Law are there amongst the Muhammadans? With these remarks I strongly oppose the amendment.

Babu DEBI PROSAD KHAITAN: It is really very regrettable that almost on every question communal matters should be raised but all

the more what surprises me is that my hon'ble friend Sir Abd-ur-Rahim, who was not only a Judge of the High Court but rose to be the Chief Justice of the Madras High Court, should so far forget himself as to try to pass a vote of censure on the Calcutta High Court in the matter of the appointment of Munsifs and Subordinate Judges. So far as the appointment of judicial officers by the Calcutta High Court is concerned, it must be said to their credit that the appointments that have been made so far have quite justified themselves and I feel proud to say that Bengal is one of those provinces in which the judicial officers have carried on their work with intelligence, honesty and independence which does credit to that service. Nobody can say that the appointments that are made by the High Court are so done on account of any partiality to any particular person. I believe, Sir, that the independence and strength of the judicial officers in this province has to no small degree been due to the very great care and anxiety displayed by the Judges of the High Court in not only finding out the qualifications and merit but also the respectability and integrity of the officers to be appointed. Sir, justice is a matter with which no communal grounds ought to interfere; justice is a matter which should be left sacred and should be allowed to be dispensed with irrespective of all communal questions. People of all communities have to appear before the Courts and get justice dispensed with. If in these matters also the appointments are to be influenced by political considerations, then woe to justice in this province which has stood its test so far.

I am surprised, Sir, that Sir Abd-ur-Rahim should seriously but perhaps hastily have recommended that the right of appointment should be transferred from the High Court to the Executive Government of this province. Sir Abd-ur-Rahim says that even the Judges of the High Court are appointed by the Executive Government. So far as my information goes, the Bengal Government has nothing to do with the appointment of the High Court Judges. They are appointed by His Majesty on the advice of the Secretary of State and that is done on quite different considerations. But so far as the appointments to the cadre of Munsifs and Subordinate Judges are concerned, what the High Court has got to see is whether the persons to be appointed are fit for those posts or not. What has the High Court done up till now to merit a vote of censure which is proposed to be passed not only on any particular officer but on the High Court as a whole? What has the High Court done in the history of its whole career that this power of appointing Munsifs and Subordinate Judges should be taken away from them and transferred to the Executive Government? India is at present passing through a phase of changing politics and my friend Sir Abd-ur-Rahim has himself hinted that the Executive Government cannot but be influenced by considerations other than that of justice: they would be influenced by political considerations. Sir, are we to spoil the administration of justice by introducing such political and communal

considerations into the matter? Should we not leave the administration of justice and the question as to which officers should administer justice into the sacred hands of those who, according to the admission of Sir Abd-ur-Rahim himself, are not influenced by any political considerations or any partiality or any communal considerations whatsoever. I myself belong to a minority community. The minority communities have their grievances no doubt. But neither a minority community nor a majority community like Sir Abd-ur-Rahim's should forget themselves so far as to touch the sacred fountain of justice and spoil it. I hope, Sir, my friend Sir Abd-ur-Rahim is not really serious in the suggestion that he has made to transfer the power of appointment from the High Court to the Executive Government in the present political atmosphere of the country. I am not aware of the procedure that exists in England or any other country as regards the appointments made in the Subordinate Judicial Service in those countries but what I am certainly aware of is that the duty of appointing officers by the High Court in Bengal has been carried on to the satisfaction of the people and the kind of justice that has been administered by these officers has been entirely satisfactory. If Sir Abd-ur-Rahim or any other member have got any criticisms to make from the point of view of honesty, the integrity, the independence and the intelligence of the judicial officers, I would ask them to refer to the judgments of the Privy Council who have set aside the judgments of the High Court and upheld the judgments of the Sub-Judges and of Munsifs. That shows the calibre these officers are made of and further shows that they carry on their duties under great difficulties in the best possible manner, and there is no reason why there should be any change effected in this matter.

Mr. E. VILLIERS: Sir, I welcome the opportunity of saying a few words on this thorny subject. The speakers who have introduced the motion have pointed out the very large discrepancy that exists in the matter of Muhammadan as compared with Hindu appointments; and Mr. Khaitan and other speakers have seemed to hint that the discrepancy is due possibly to the inevitable communal feeling that exists.

Mr. Khaitan in the very clear exposition of his views on the subject said the following: "Justice is a matter in which the principle of communalism should not be allowed to interfere." Now, Sir, for myself I would go further and say that, speaking generally, communalism should not be allowed to interfere in any matters; at the same time we have got to deal with conditions as they are and not as we would have them be; doubtless in the future conditions will so adjust themselves that after a period matters will be dealt with purely on their merits, no considerations of communal differences arising therein at all; Mr. Khaitan went a step further and said that the only point to be considered by those who are responsible for making these appointments

was as to whether the people so appointed are fit and proper for the appointments. But, Sir, so long as the above conditions obtain there is yet another point to be considered, namely, as to whether, other things bring equal, communal fairness is being observed in this as in other things—whether, given that there are a sufficiency of Muhammadans of at least equal qualifications from which to choose, a proper proportionate number of Muhammadans are getting these appointments. That is the question that I would put to Government, and that seems to me to be the essence of this matter. If there are not to be found sufficient Muhammadans of equal qualifications with their Hindu brethren to fill the posts, that settles the matter. But if there are, why, having accepted communal conditions for India, why are only 12 out of 150 appointments given to Muhammadans. Given that they can be found, my Muhammadan friends have my full sympathy in urging this point.

Nawab MUSHARRUF HOSSAIN, Khan Bahadur: This is a question which has been agitating the Muhammadan minds for a long time. I come from the mufassal, and I would rather like to give you my own experience as to how far the Muhammadans receive proper treatment at the hands of those whom my friend Mr. Khaitan considered to be the incarnation of justice. I will give you one instance, Sir, to convince you how we, Muhammadans, are treated in the mufassal courts. A certain pleader engaged by me personally in a big case went over to the other side. I brought this to the notice of the Subordinate Judge who was in charge of the case, and he, after hearing both the parties, said that there was no objection to the pleader going to the other side. I at once sent a man here to file an appeal against the order of the Subordinate Judge in the High Court. My man went first to an eminent barrister here who belonged to the Hindu community and he also treated my case in that way. He then went to the Advocate General who happened to be a European. He said that this was a very sad case and at once brought it to the notice of the Hon'ble High Court, and I think my friend Mr. Byomkes Chakravarti appeared on the other side and begged of the High Court not to pass final judgment, giving an assurance to us that he would not appear on the other side. Sir, I cannot understand how a pleader engaged by one party can be allowed by anybody to appear on the other side.

Mr. P. N. GUHA: Do pleaders administer justice?

Mr. PRESIDENT: I cannot follow him.

Nawab MUSHARRUF HOSSAIN, Khan Bahadur: I am giving you the quality of those persons whom the eminent judges of the High Court have appointed to administer justice in the mufassal courts. I

can give you instances of such glaring injustice which Muhammadans fare at the hands of judges of the other community, and I think if a fair proportion of Mussulmans are appointed these things will be a thing of the past. During the proceedings of the last three years of this Council several resolutions have been moved by different members asking the Government to appoint Muhammadan officers either above or under Hindu officers. What does this mean? It means that the Muhammadans have not got that admiration for the administration of justice which is being dealt out by the present incumbents appointed by the Hon'ble High Court. In the circumstances I think it will be just and proper that a sufficient number of Muhammadans should also be appointed by the High Court, and as the High Court is not fulfilling the duty that they owe to the country and to the Muhammadan community, I think this vote of censure should be passed.

Mr. P. N. GUHA: Sir, I have every sympathy with the mover of this resolution who thinks that the number of Muhammadans in judicial service is not in proportion to the population of the community. I wish there would have been more Muhammadan Munsifs and Subordinate Judges and so far as this is concerned I have no quarrel with the Muhammadans. Out of the 350 judicial officers let there be 300 Muhammadan officers if they are found fit, but the point that Sir Abd-ur-Rahim has raised is a novel one. He thinks that if the power of appointing judicial officers had been vested on the executive side of the Government, there would have been more Muhammadans. I do not know on what assumption this argument is based. In the first place, Sir, many of us know that the selection of Munsifs is made by a department of the High Court which is technically known as the "English Department" and it is presided over by a senior Civilian Judge—not by a barrister judge but by a senior Civilian Judge. The Committee is composed of three or four judges and the Chief Justice is an *ex-officio* Judge. Now, Sir, you will see that the head of the department which makes the appointment, had he been on the executive side, would have been in the place of Sir Hugh Stephenson and Sir Hugh Stephenson, if he had been in the judicial line, would have been in the position of the head of the English Department of the High Court. Sir, if the Hon'ble Judge in charge of the English Department exercises proper power there, how do you guess that he would be able to exercise the same power when he would be in charge of the Judicial Department on the executive side? The anxiety of my hon'ble friend Sir Abd-ur-Rahim, who has lately been in charge of the judicial portfolio of the Government of Bengal, clearly shows that the Judges of the High Court in making these appointments take no outside matter into consideration, they only look to the quality, and I think quality is the only thing which should be considered in making judicial appointments. Sir Abd-ur-Rahim says that a lot of B.Ls. can be found amongst the Muhammadans. If so, and

if they are qualified, why should they not be appointed by the High Court, and what earthly reason is there to consider that a Muhammadan Law Graduate could influence the executive side to get an appointment in the judicial line, but he could not do so in the High Court simply because the appointments are in the hands of the Hon'ble Judges? If a Muhammadan is duly qualified, is there any justification to consider that an Hon'ble Member in charge of the Judicial Department of the Government of Bengal would consider him fit, but an Hon'ble Judge in charge of the English Department of the High Court would not consider him so? Well, Sir, such supposition amounts practically to a vote of censure on the Hon'ble Judges. I therefore consider that this particular point raised by Sir Abd-ur-Rahim is most unfortunate. In this province the people have got unlimited confidence in the High Court. Moreover the actions of the members of the executive side very often come before the judicial officers in the shape of cases to be decided by them. Take for instance, Sir, under the orders of the Government of Bengal I am arrested to-morrow without any reason and I bring a case of damage against the Government of Bengal. Any officer whose appointment or promotion is dependent on the sweet will of the Government of Bengal will not at all venture to dispense justice independently in such a case. Theoretically you may say, why should he not? But you should not forget that we are living in a human world. I therefore say that the appointment of all judicial officers should, as it is now, remain vested in the High Court. Let there be as many Muhammadans as possible, I have not the slightest objection to that, let all the 350 judicial officers be Muhammadans, but that there is no earthly reason to consider that the Judges of the High Court are not able to make proper selections. I consider the argument most unfortunate and therefore most emphatically protest against it.

(At this stage the Council was adjourned for 10 minutes.)

(After the adjournment.)

Maulvi TAYEBUDDIN AHMED: Sir, the proposition of Maulvi Sultan Ali is quite clear. He says that if Hindu simple B.Ls. can efficiently discharge the duties of Subordinate Judges why the Mussalman B.Ls. should be excluded on the ground of inefficiency. Perhaps Mr. Khaitan and Mr. Guha could not understand what Maulvi Sultan Ali made out. Mr. Khaitan has very emphatically supported the present policy of the Department of Justice and has said very highly of the efficiency of the Subordinate Judges and Munsifs. Mr. Guha also spoke about the quality. No body denies that even Maulvi Sultan Ali did not question the efficiency of the present Subordinate Judges and Munsifs. Sir, what I would like to impress is that if a legitimate share be given to Mussalmans and more Mussalmans are appointed the efficiency of the

Department will go higher because in every branch of administration Mussalman have given unmistakable proof of higher efficiency. Another thing to which I should like to draw your attention, Sir, is that even in administration of justice communalism do find place. Sometime Europeans are tried in criminal cases by Europeans—that is to say they have got option of selecting the trying Judge. The majority of litigants in Bengal, why the majority—the ninety per cent. of litigants of Bengal are Mussalmans. If Judges having first hand knowledge of the manner and customs of litigants and at the same time having the same hall-mark be appointed then the efficiency will no doubt go higher. We want Mussalmans in the Department and I do not say that an unqualified and inefficient man should get the appointment only because he is a Mussalman. Any number of qualified Mussalmans are now available. What I want is that the prejudice hanging round the appointment in Provincial Judicial Service should remain not a moment longer. Sir Abd-ur-Rahim supported the motion. So many a member expressed their surprise. There is nothing for wonder. Sir Abd-ur-Rahim supports the motion because he is the man who knows where really the rub is. Sir, with these words I support the motion.

Mr. S. C. MUKERJI: I do not consider this motion to be a vote of censure unless it is pressed to a division. I have considerable sympathy with my Muhammadan colleagues in this matter so far as their grievance is concerned. While the major communities go in for loaves and fishes, the minorities are simply given the crumbs that fall from the table. In the matter of appointment of Muhammadans as Munsifs, I have already said, I have considerable sympathy with my Muhammadan friends. But, Sir, I am not prepared to accept the position that has been set out by Sir Abd-ur-Rahim that in this matter of the appointment of judicial officers the Hon'ble Judges of the High Court have not discharged their duties properly. Sir Abd-ur-Rahim must place facts and figures before this House by giving the years and the candidates that were before the Hon'ble Judges and must show that the Judges having before them both Hindu and Muhammadan candidates decided in favour of the Hindu candidates as against the Muhammadans. This is rather a serious charge to bring against the Hon'ble Judges. And before this House accepts such a charge against such eminent persons as well-founded, more data are necessary. If Sir Abd-ur-Rahim can show that there were two particular candidates—one Hindu and the other a Muhammadan, both of equal merit, and that the Hon'ble Judges decided in favour of the Hindu candidate as against Muhammadan then certainly such a charge will be regarded as well-founded and can very legitimately be levelled against the Judges.

The other point made out by Sir Abd-ur-Rahim that the Hon'ble Judges have not sufficient time at their disposal to decide these matters,

I am very sorry I am not prepared to accept that as a correct diagnosis of the situation. I cannot for a moment believe that an Hon'ble Judge of the High Court who is saddled with this important responsibility will so far forget himself as to dispose of these things in a cursory fashion. If that were the case they would have lost the confidence of this country long long ago.

Then Sir Abd-ur-Rahim says that if the appointment of the judicial officers were left with the Executive Government then they would have taken into consideration the political aspect of the question or in other words political considerations would have weighed with the Executive Government in the choice of judicial officers. Well, in that case, things should be where they are, because that shows that the executive Government ought not to be invested with that power if it be a fact that they will be guided and influenced by political considerations in the matter of justice. In that case I should say that so far as criminal justice is concerned that should also be transferred to the High Court. In the matter of appointment where the question of justice is concerned, nothing but sheer merit ought to be taken into consideration and I think my Muhammadan friends should take their stand on that ground and not simply on communal ground, *viz.*, Muhammadans should be appointed because they are Muhammadans. But I think that their point is that Muhammadans should be appointed, because they are able, because they are efficient, and because they have the necessary qualifications, and so long as they take their stand on that ground I give them my wholehearted support. That is the right position to be taken up and that is the position which I as the representative of the Indian Christian community have always taken up so far as my community is concerned. Deal with us according to our merits, according to our education, and according to our efficiency. We do not want any job simply because we are Christians, but because we are able and efficient and thoroughly educated and we therefore demand it as a matter of right. I want my Muhammadan friends to take their stand on that ground—on the ground of their education, their culture, and judicial ability—and so long as they stand on these grounds they have my wholehearted support. In this matter I do hope and trust that my Muhammadan friends will not press it to a division.

The Hon'ble Sir HUGH STEPHENSON: I think it will perhaps be as well to clear the ground first, before dealing with this motion, by pointing out to the Council once again what this motion is not. I think we are all agreed that it is not a vote of censure on the High Court. I think we are all agreed that there are no allegations that the High Court have in any way improperly used their power of appointment. I think it is also agreed that there is no vote of censure on the Judicial Service in Bengal. There is no allegation that the Judicial Service as a whole, or any member of it is unworthy of his

position or has in any way failed to render justice to the people of Bengal. Now, Sir, we clear that and we come now to the main point. It is that this motion had been moved with a view of bringing to the notice of Government the dissatisfaction of a certain section of the community with the fact that in the Judicial Service in Bengal there is so small a proportion of Muhammadans. As I have said, no one accuses the High Court of being in any way to blame so far as its appointments are concerned. We all admit that the High Court has appointed the best men in its opinion to these posts within the limits of the points which the High Court can consider. We have had a great deal of loose talk confounding the appointments of Judicial Service with judicial acts. The judicial acts of the members of the service once they have been appointed have not been criticised and are beyond our purview. The point, as I understand it, that has been raised, is that the appointments to the Judicial Service not being a judicial act should not rightly belong to a judicial body which is precluded by its very nature from taking cognisance of any circumstances or considerations outside judicial ones. Now, Sir, on this point of appointments of Muhammadans, I have been anxious for some time to get an opportunity of giving my views: but on this particular motion under this particular budget, I feel I can only do so in a very small way. The views of Government as regards the appointment of Muhammadans have been set forth in a *communiqué* which was issued in last Christmas week. In the first place, I dislike the expression "loaves and fishes", almost as much as I dislike the expression "in proportion to the population". Both these expressions, to my mind, place the whole thing on an entirely wrong basis. If it were a question of "loaves and fishes", then Babu Amulya Dhone Addy's retort is appropriate that you should take not the population but the fit population. But, Sir, the only justification to my mind—like my friend Mr. Villiers, I constitutionally dislike communalism, but, like him, I have to accept the facts in India—the only justification to my mind for taking particular pains to appoint members of a particular community as officers is not because that community number so many, but because it is for the good of the province as a whole. The province as a whole at the present time consists of Hindus and Muhammadans—I am speaking quite broadly and am not going into details—but when you have a population which consists in part of Hindus and in part of Muhammadans it is, in the opinion of Government, essential for the good of the province as a whole, that there shall be in the public service a sufficient number of each particular kind of the population. Government recognises no distinction between its Hindu and Muhammadan officers they are equally efficient, and in the belief of Government they equally do justice and do their work with impartiality. So far as their official work is concerned, from the point of view of Government it does not

matter whether an officer is a Muhammadan or a Hindu. We trust him to do justice on the Bench, we trust him to do his work outside the court. But I think no one will deny that the public services in India, or at any rate in Bengal, do exercise a tremendous influence on the life of the public—and there it does make a difference if the whole public service is composed of one community. From the point of view of the villager in a subdivision which is largely inhabited by Muhammadans, it does make a difference to him whether his Subdivisional Officer is a Muhammadan or a Hindu—I do not mean to say that it makes the slightest difference to his cases, but a Muhammadan Subdivisional Officer in a subdivision largely inhabited by Muhammadans can, and does, do a very great deal towards the uplift of the whole Community. (Hear, hear.) We have had numerous instances where a Muhammadan Subdivisional Officer has started a Madrassah, has raised subscriptions for a Muhammadan hostel, has taken an interest in the general education of the people as a whole. It is from that point of view that the Government are interested in the question and not from the point of view of the "loaves and fishes", or the percentage of the population but from the point of view of the good of the people as a whole, and we cannot expect to get the highest good for the people of Bengal unless we have a sufficient number of Muhammadans in the public services for this kind of work.

Well, Sir, as I said, from the point of view of Government, it is a question of the good of the community at large, and in my opinion the true solution of Hindu-Muhammadan differences is a Hindu-Muhammadan amalgamation in the public services which the people can claim as their own—neither a Hindu nor a Muhammadan public service—in which each different denomination fills the service for the good of the whole of India. And that is in my mind a far more hopeful way of treating this question than by any efforts or pacts or artificial agreements. That put briefly is the position of Government as regards its public services.

I will not touch at the moment on the question of the ministerial officers where different considerations come in, and I do not think I shall be in order in dealing with that question now. As I have just pointed out, it is not a question of the purity of the Judicial Service, it is not a question of political jobbery, it is not a question of appointing men who are not fit. I am only concerned here with the extra-judicial aspect of the Judicial Service and from that aspect, Government are of opinion that the considerations I have mentioned apply equally to the Judicial Service as to the Executive Service. I should like to make it perfectly clear that so far as the judicial acts are concerned, I make no distinction between a Hindu Munsif and a Muhammadan Munsif. I would certainly not subscribe to any doctrine that the Muhammadans' cases must be tried by Muhammadan officers or

that the Hindus' cases must be tried by Hindu officers. So far as the judicial acts are concerned we have not, and we will not, in any way alter the present practice.

When we get to the point that Government do consider it a matter affecting the general welfare of Bengal that, in the Judicial Service of Bengal, there should be a proper admixture of Muhammadans and Hindus, the question arises how is that to be obtained. As Sir Abd-ur-Rahim has pointed out at present the appointments of Munsifs are made on the recommendation of the High Court; practically speaking they are made by the High Court. This question of how to attain what Government consider to be desirable is a thorny one. It has engaged the consideration of Government for some long time and I am sure that Sir Abd-ur-Rahim and his fellow members will not expect me to say at the present time what Government's intentions are. I have explained the position of Government and I would suggest that this motion be withdrawn, if only for the reason that if it is pressed to a division I am not sure that I myself or any other member of the House will know exactly what is we are censuring.

Maulvi SAYYED SULTAN ALI: I beg leave to withdraw my motion.

The motion that the demand of Rs. 85,95,000 under the head "24—Administration of Justice" be reduced by Re. 1 was then, by leave of the Council, withdrawn.

The motion that a sum of Rs. 85,95,000 be granted for expenditure under the head "24—Administration of Justice" was then put and agreed to.

25—Jails and Convict Settlements.

The Hon'ble Sir HUGH STEPHENSON: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 32,20,000 be granted for expenditure under the head "25—Jails and Convict Settlements".

The following motions were called but not moved:—

Maulvi ZAHNOOR AHMED: "That the demand of Rs. 38,400 under the head '25A—Jails—Superintendence—Pay of Clerks' (page 99, Civil Estimate) be reduced by Rs. 3,000."

Maulvi ZAHNOOR AHMED: "That the demand of Rs. 1,150 under the head '25A—Jail—Superintendence—Hill Allowance' (page 99, Civil Estimate) be reduced by Rs. 800."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 4,50 under the head '25A—Jails—Office Expenses and Miscellaneous' (pag 99, Civil Estimate) be reduced by Rs. 2,000."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 54,00 under the head '25A—Superintendence' (page 99, Civil Estimate) b refused."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That th demand of Rs. 54,000 under the head '25A—Jails—Superintendence (page 99, Civil Estimate) be reduced by Rs. 4,000."

Maulvi ZANNOOR AHMED: "That the demand of Rs. 20,00 under the head '25A—Jails—Presidency Jail—Pay of Jailors, Deput and Assistant Jailors' (page 100, Civil Estimate) be reduced b Rs. 6,000."

Maulvi ZANNOOR AHMED: "That the demand of Rs. 12,00 under the head '25A—Presidency Jail—Rents, Rates and Taxes' (page 100, Civil Estimate) be reduced by Rs. 1,000."

Maulvi ZANNOOR AHMED: "That the demand of Rs. 52,000 under the head '25A—Central Jails—Pay of Jailors, Deputy and Assistant Jailors' (page 100, Civil Estimate) be reduced by Rs. 12,000."

Maulvi ZANNOOR AHMED: "That the demand of Rs. 1,22,00 under the head '25A—Jails—District Jail—Pay of Jailors and Deputy and Assistant Jailors' (page 100, Civil Estimate) be reduced by Rs. 32,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 10,23,000 under the head "25A—District Jails' (page 102, Civil Estimate) be reduced by Rs. 23,000."

Maulvi ZANNOOR AHMED: "That the demand of Rs. 7,000 under the head '25A—Juvenile Jail—Pay of Jailors, Deputy and Assistant Jailors' (page 102, Civil Estimate) be reduced by Rs. 2,000."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 10,000 under the head '25A—Jails—Payable to Burma Government for Prisoners detained in Burma Jail under the Bengal Criminal Law Amendment Act' (page 98, Civil Estimate) be reduced by Re. 1."

Babu NALINIRANJAN SARKAR: "That the demand of Rs. 10,000 under the head '25A—Jails—Amount Payable to Burma Government for Prisoners detained in Burma Jails under the Bengal Criminal Law (Amendment) Act' (page 98, Civil Estimate) be reduced by Re. 1."

Babu KHAGENDRA NATH GANGULY: "That the demand of Rs. 26,13,000 under the head '25A—Jails' (page 98, Civil Estimate) be reduced by Rs. 7,55,000."

Babu SATYA KISHORE BANERJEE: "That the demand of Rs. 26,13,000 under the head '25A—Jails' (page 98, Civil Estimate) be reduced by Rs. 2,00,000."

Maulvi ZANNOOR AHMED: "That the demand of Rs. 26,13,000 under the head '25A—Jails' (page 98, Civil Estimate) be reduced by Rs. 70,000."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 26,13,000 under the head '25A—Jails' (page 98, Civil Estimate) be reduced by Re. 1."

Mr. P. N. GUHA: Sir, I beg to move that the demand of Rs. 26,13,000 under the head "25A—Jails" be reduced by Re. 1.

In doing so I want to draw the attention of Government pointedly to one matter. It was in December, 1912, that by a certain Circular Government intimated their intention of dividing the cadre of assistant jailors into 4 groups—deputy jailors, head clerks, subordinate jailors and clerks. This is quite a departmental thing and I have heard it said that members of the Council should not poke their nose into matters of departmental administration, but the fact cannot be overlooked that these officers, who are working in the jails department are absolutely out of touch with the public world. In a manner they also are convicts in the sense that they have got to remain within the four walls of the jail and work without knowing what is going on in the outside world.

Sir, it has been represented to me and to many other members of this House—as was apparent from the showers of questions that were put to Government, that grave injustice has been done in dividing the service into the different divisions as I have just enumrated. I find that a praticular officer who has got three or four black marks against his name and is junior in service has gone up while a much better qualified man who has no black mark against his name has been placed in a lower rank. I am informed that the Inspector-General of Prisons, Bengal, with the help of a Committee, went through the case of every assistant. I assure you, Sir, that I would never have

taken up this matter if it was brought to my notice by two, three or four or even dozen officers of the jail department. A very large number of officers came to see me and I was convinced that a grave injustice had been done to them. It is believed that somehow or other the then Inspector-General of Prisons, who left India probably on the day following the day on which the Circular was published, was not well advised, and I understand that the officers have submitted memorials to Government. I consider, and along with me a number of other members of this Council consider, that some injustice has really been done and I want the Government to look into the matter. On bringing this matter privately to the notice of the Secretary to the Jail Department, I was told that this was a matter to be dealt with by the Inspector-General of Prisons. I have no doubt that it should be so, but as we are here and the responsible members of the Government are here as well, I think we are entitled to bring the grievances of our fellow people to their direct knowledge. With these words I move the amendment that stands in my name.

The Hon'ble Sir HUGH STEPHENSON: I know that there has been a considerable amout of feeling on the subject of the recent reorganisation among the jail officers and I am, therefore, glad of the opportunity of explaining the matter to the members of this Council more fully than I could do in answer to questions.

The reorganisation took place in accordance with the recommendation of the Jail Commission. When the Jail Commission—I won't go back to the previous history—reported, they found that in Bengal there was a grade of jailors, and a grade of assistant jailors on Rs. 50-100. The assistant jailors did the whole of the work, that is to say, there was no clerical establishment. An assistant jailor might be a head clerk, might be a subordinate clerk or might be an executive officer or might be an executive officer one week and a clerk the next. They recommended that this system was radically unsound, that if you are going to recruit executive officers you ought to look for those qualities which are required of executive officers and not to keep an eye on ability for accounts. Government accepted these recommendations and we have, therefore, separated the jail services into executive and clerical. We had previously improved the position of the jailors and in last August I put before the House proposals for establishing a new grade of deputy jailors and carrying out this particular reform. The jail staff in Bengal now consists of jailors and deputy jailors, which is an entirely new grade on Rs. 100-150, assistant jailors have been abolished and clerks have taken their place. The clerks rise from Rs. 45-120 so that the net result of the reorganisation is to considerably improve the prospects of the jail service as a whole. In carrying out this reorganisation the first step necessary was to separate the existing staff into clerical and executive and very few of

the existing staff liked to be classed among the goats; they all cried for the appointment of deputy jailors; there were only 30 odd appointments of deputy jailors as against 70 odd assistant jailors. It is quite apparent that we could not appoint them all as deputy jailors. Those who were not appointed as deputy jailors are still in a better position as regards their prospects than they were before the reorganisation, because they have now the prospect of rising to Rs. 120 while before the reorganisation they had the prospect of rising to Rs. 100 only. Those also who were appointed under these orders before 1922 will have the prospect of being promoted to the rank of deputy jailer. Two out of three such appointments as they fall vacant are to be filled from the rank of the old assistant jailors who are now clerks but who were recruited before 1922.

I have received a large number of memorials, practically one from everybody who has not been made a deputy jailor. I have gone very carefully into these memorials. I have also received a large number from those who were made deputy jailors. I think it is fair that all those who were appointed to the service up to last year when the separation was actually made should be allowed the chance of being appointed as deputy jailor, that is to say, those who have been appointed between 1922 and 1925 will not now be shut out. Then as regards deputy jailors I feel that there was some hardship. We considered this question two years ago. A scheme was sanctioned by Government and approved by the Finance Department but it could not be brought into force because of the lack of money. We have, therefore, put the deputy jailors in the same position as they would have been now if the reorganisation had taken place two years ago, that is to say, they are not to get back pay for two years from 1st April, 1922, but with affect from 1st April last they are to be in the same position as if the reorganisation had taken place in 1922.

Then, Sir, as regards the memorials from those on the clerical staff, it is clear that as a whole we could do nothing for them. We deliberately decided on the separation of the staff. We improved their prospects and they are better off now than they were before, but as Mr. Guha has pointed out, every one of these men who were not appointed deputy jailors has no doubt the honest conviction that he has been hardly treated in being passed over and that he is a better man than those who have been appointed deputy jailors. Well, Sir, it is perfectly obvious that there must be some finality in a distinction of this kind and that there must be some authority who should be entitled to say that this man should be a clerk, and that man should be a deputy jailor. The Inspector-General of Prisons and the Superintendents of the Alipore and the Presidency Jails formed a Committee and they went through every case and made their recommendations. Well, Sir, I think that it is quite possible that there may be a feeling among

those men who have been passed over that an entirely Jail Committee is not perhaps absolutely suitable and that they would be more content if they knew that someone outside the actual departmental jail staff had considered their case, and for that reason I have given instructions that every one of those cases shall be gone into by myself and Secretary and that all other cases where the men are alleged to have been promoted although they had bad marks against them should also be examined. I am afraid we cannot do more than that, but they have my assurance that when we have done that I shall personally be convinced that we have given them fair play.

Mr. P. N. GUHA: In view of the assurance given by the Hon'ble Member I withdraw my motion.

The motion was then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

Maulvi ZANNOOR AHMED: "That the demand of Rs. 5,92,000 under the head '25B—Jail Manufactures' (page 105, Civil Estimate) be reduced by Rs. 20,000."

Babu HEMANTA KUMAR SARKAR, Maulvi ASIMUDDIN AHAMAD and Babu BIJOY KRISHNA BOSE: "That the demand of Rs. 32,20,000 under the head '25—Jail and Convict Settlements' (page 98, Civil Estimate) be refused."

Babu TARAKNATH MUKERJEA: "That the demand of Rs. 32,20,000 under the head '25—Jails and Convict Settlements' (page 98, Civil Estimate) be reduced by Rs. 2,20,000."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 32,20,000 under the head '25—Jails and Convict Settlements' (page 98, Civil Estimate) be reduced by Rs. 2,00,000.

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 32,20,000 under the head '25—Jails and Convict Settlements' (page 98, Civil Estimate) be reduced by Rs. 1,00,000."

Shah SYED EMDADUL HAQ: "That the demand of Rs. 32,20,000 under the head '25—Jails and Convict Settlements' (page 98, Civil Estimate) be reduced by Rs. 71,000."

The motion that a sum of Rs. 32,20,000 be granted for expenditure under the head "25—Jails and Convict Settlements" was then put and agreed to.

26.—Police.

The Hon'ble Sir HUGH STEPHENSON: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 1,71,12,000 be granted for expenditure under the head "26—Police."

The following motions were called but not moved:—

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 72,700 under the head '26A—Presidency Police—Pay of Deputy and Assistant Commissioners' (page 108, Civil Estimate) be refused."

Maulvi ZANNOOR AHMED: "That the demand of Rs. 72,700 under the head '26A—Presidency Police—Pay of Deputy and Assistant Commissioners' (page 108, Civil Estimate) be reduced by Rs. 10,000."

Babu TARAKNATH MUKERJEA: "That the demand of Rs. 2,56,975 under the head '26A—Presidency Police—Superintendence' (page 108, Civil Estimate) be reduced by Rs. 34,000."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 1,87,542 under the head '26A—Calcutta Police—Pay of Inspectors' (page 109, Civil Estimate) be reduced by Rs. 1,37,542."

Maulvi ZANNOOR AHMED: "That the demand of Rs. 1,87,542 under the head '26A—Presidency Police—Pay of Inspectors' (page 109, Civil Estimate) be reduced by Rs. 10,000."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 1,94,460 under the head '26A—Calcutta Police—Pay of Sub-Inspectors' (page 109, Civil Estimate) be reduced by Rs. 1,00,000."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 2,51,405 under the head '26A—Calcutta Police—Pay of Sergeants' (page 109, Civil Estimate) be refused."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 2,51,405 under the head '26A—Calcutta Police—Pay of Sergeants' (page 109, Civil Estimate) be reduced by Rs. 2,26,405."

Maulvi ZANNOOR AHMED: "That the demand of Rs. 2,51,405 under the head '26A—Presidency Police—Pay of Sergeants' (page 109, Civil Estimate) be reduced by Rs. 10,000."

Babu AMULYA DHONE ADDY: Sir, I beg to move that the demand of Rs. 2,51,405 under the head "26A—Calcutta Police—Sergeants" be reduced by Rs. 9,405.

Sir, it will appear from the budget that the actuals for the year 1924-25 were Rs. 2,44,768, though the revised estimate for the current year was Rs. 2,42,000, and the budget estimate for the ensuing year is Rs. 2,51,405. So I suggest that this amount be reduced by only Rs. 9,405 in order that the budget grant for the current year may not be increased during the next year. In this connection, Sir, I would draw attention to the report of the Bengal Retrenchment Committee. It appears from paragraph 179 of that report that the number of sergeants has been on the increase from year to year. In the year 1913-14 it was 115. In the year 1918-19 it was increased to 121; but this year it has been increased to 138. Sir, it appears from public records that there are not more than 2,000 police officers in the city of Glasgow, but in the city of Calcutta the number of police officers is more than double that figure. I fail to understand as to why there should be so many police officers in Calcutta, especially when the citizens of Calcutta are very law-abiding.

As regards expenditure, it is proposed to increase it to Rs. 2,51,000. I do not mean to say that the services of these sergeants should be dispensed with. My suggestion is that when there are vacancies, they may be filled up by armed sepoys. It appears, Sir, that the cost of retaining these sergeants is very high, because the pay alone of these 138 sergeants comes to Rs. 2,51,000. I understand that rent has also to be paid to them. Therefore, the actual expenditure is about Rs. 3 lakhs, and this for only 138 sergeants. I am sorry to say that an invidious distinction appears to have been made between Europeans and Indians in the matter of pay. It appears that the maximum pay of an assistant sub-inspector is Rs. 50 per month. These assistant sub-inspectors are educated men and there has been no serious complaint against their work. It may be that their work is quite different from the sergeants'; but in the case of the armed sepoys the maximum pay is Rs. 22 per month. Is it not an invidious distinction between Indians and Europeans? It may be said that the sergeants are armed; so are also the sepoys, but while in the case of the sepoys the maximum pay is Rs. 22, in the case of the European sergeants it is Rs. 200. I beg to submit that I am not in favour of dispensing with the services of these sergeants; they are family men and have come to Calcutta for the sake of employment; but my suggestion is that whenever there is a vacancy, an armed sepoy should be appointed to it. It will serve a two-fold purpose—it will reduce the expenditure and at the same time it will create contentment amongst the Indians. With these words I beg to move the amendment standing in my name.

The Hon'ble Sir HUGH STEPHENSON: Sir, I oppose this motion. There is no substance whatever in it. Mr. Addy has taken the revised for this year and says that the budget for the next year should be the same. Sir, I cannot understand how a businessman of the standing of Mr. Addy can put forward before the House such a proposition like this. He surely knows that the revised estimate is purely a guess work of what we should spend this year and the budget is what we have got to spend next year. There may be particular items—there may be men on leave and there may be vacancies: but what we provide for is the full sanctioned strength at the sanctioned rate of pay and we cannot allow this cut of Rs. 9,405.

Then, Mr. Addy went on to say that he was sorry to say that there was racial differentiation. Well, Sir, I am perfectly certain that he was not nearly so sorry to say it as we were to listen to him. I have so often explained the difference between a Sergeant and a sepoy that I despair of getting him to understand the point. But if he really wants to see the difference, I shall be very happy to ask the Commissioner of Police to take him round and show the difference.

The motion of Babu Amulya Dhone Addy was then put and a division demanded.

The Hon'ble the President directed a summary division to be taken.

Maulvi EKRAMUL HUQ: Sir, we should prefer to raise our hands instead of rising in our places like school boys.

Mr. PRESIDENT: This method is provided in the rules and is not of my seeking: you are on the panel of Chairmen and you ought to know the rules.

The following members only stood in their places:—

Babu Amulya Dhone Addy.

Maulvi Tayebuddin Ahmed.

Maulvi Ekramul Huq.

Maulvi Sayyed Sultan Ali.

Haji Lal Mahammad.

The motion was lost.

Adjournment:

The Council was then adjourned till 2-30 P.M., on Thursday, the 18th March, 1926, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Thursday, the 18th March 1926, at 2-30 P.M.

Present:

The Hon'ble the President (Kumar Shib Shekhareswar Ray) in the Chair, the four Hon'ble Members of the Executive Council and 52 nominated and elected members.

Starred Questions

(to which oral answers were given).

Middle class unemployment.

*CXXXI. **Dr. H. W. B. MORENO:** Will the Hon'ble Member in charge of the Department of Agriculture and Industries be pleased to state what action the Government have taken or propose to take on the recommendations of the Committee appointed by the Bengal Government for inquiry into the causes of unemployment among the middle classes, including Anglo-Indians?

MEMBER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur): A statement is laid on the Library table.

Dr. H. W. B. MORENO: Are the Government prepared to circulate to the members of this Council copy of the statement which is now laid on the Library table?

Mr. PRESIDENT: That is more in the nature of a request for action, not for information.

Dr. H. W. B. MORENO: I only want to know the position of the Government with regard to this question.

Unemployment, problem of.

*CXXXII. **Mr. F. E. JAMES:** (*a*) Will the Hon'ble Member in charge of the Department of Agriculture and Industries be pleased to state whether the Government have considered the Report of the Unemployment Committee which was published in the Supplement to

the *Calcutta Gazette*, December 25th, 1924, and in particular, the recommendations regarding the establishment of an Employment Bureau?

(*b*) If so, what steps have been taken to put into effect those recommendations?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) and (*b*) The member is referred to the reply given to starred question No. CXXXI asked by Dr. H. W. B. Moreno on the same subject.

Dr. H. W. B. MORENO: Will the Government think fit to circulate the statement laid on the Library table to the members of this Council?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: I will consider it.

Unemployment problem.

***CXXXIII. Mr. TARIT BHUSAN ROY:** Will the Hon'ble Member in charge of the Department of Agriculture and Industries be pleased to state what practical steps, if any, have so far been taken to give effect to the several recommendations of the Bengal Unemployment Committee to relieve the situation created by the present unemployment amongst Bengali *Bhadralogs* and Anglo-Indians?

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: The member is referred to the reply given to starred question No. CXXXI asked by Dr. H. W. B. Moreno on the same subject.

Unstarred Question

(answer to which was laid on the table).

Labour Unions.

106. Mr. K. C. RAY CHAUDHURI: Will the Hon'ble Member in charge of the Department of Commerce be pleased to lay on the table a statement showing—

(*i*) the names,

(*ii*) the addresses, and

(*iii*) other available particulars of the Labour Unions in Bengal on the list of the Labour Intelligence Officer?

MEMBER in charge of DEPARTMENT of COMMERCE (the Hon'ble Mr. J. Donald): A statement is laid on the Library table showing the Labour Unions which according to information received by the Labour Intelligence Officer are at present in existence in Bengal, together with the postal address and reported date of inauguration of each union. Associations of clerks have not been included.

Government Business.

The Budget of the Government of Bengal for 1926-27.

Demands for Grants.

26—Police.

The following motions were called but not moved:—

Maulvi WAHED HOSSAIN: "That the demand of Rs. 35,000 under the head '26A—Presidency Police—Temporary Force' (page 109, Civil Estimate) be reduced by Rs. 17,000."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 74,000 under the head '26A—Presidency Police—Calcutta Police—Travelling allowances' (page 109, Civil Estimate) be reduced by Rs. 10,000."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 19,244 under the head '26A—Calcutta Police—House-rents and other allowances' (page 109, Civil Estimate) be reduced by Rs. 14,244."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 10,000 under the head '26A—Calcutta Police—Purchase and maintenance of motor cars' (page 109, Civil Estimate) be refused."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 26,15,000 under the head '26A—Presidency Police—Calcutta Police'—(page 109, Civil Estimate) be reduced by Rs. 25,15,000."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 26,15,000 under the head '26A—Presidency Police—Calcutta Police' (page 109, Civil Estimate) be reduced by Rs. 6,00,000."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 1,14,000 under the head '26A—Presidency Police—Port Police' (page 110, Civil Estimate) be refused."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 1,14,000 under the head '26A—Port Police' (page 110, Civil Estimate) be reduced by Rs. 100."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 31,28,650 under the head '26A—Presidency Police' (page 107, Civil Estimate) be reduced by Rs. 10,00,000."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 31,28,650 under the head '26A—Presidency Police' (page 107, Civil Estimate) be reduced by Rs. 3,00,000."

Rai Sahib PANCHANAN BARMA: I beg to move that the demand of Rs. 31,28,650 under the head "26A—Presidency Police" (page 107, Civil Estimate) be reduced by Rs. 1,28,650.

In submitting this motion I want to make it clear that I want to discuss the policy and not so much the reduction of the amount. The Presidency Police costs more than Rs. 32 lakhs from Provincial revenues, but the duties of the Presidency Police are to control the traffic and keep the peace of Calcutta only. But Calcutta is an Imperial city so to say. The revenue derived from Customs, income-tax in Calcutta are taken by the Imperial Government, while only a small portion or even nothing of the revenues derived in Calcutta are received by the Government of Bengal. The Bengal Government has to maintain the Police at an enormous cost. If this sum were released it might have been applied for the improvement of the country, for sanitation and education in the rural areas which are so much in need of these, and also for the reduction of some taxes. There are some taxes which need to be reduced. I mention one only. I mean the amount which is realised in the Duars and other places for pasturage. The rates per head of cattle are very high; I understand it is Rs. 4 or Rs. 5 per buffalo and Rs. 2 per cattle. The effect has been that the buffalo flocks are driven to Assam leaving a very small number behind. In consequence there is a scarcity of milk, curd and ghee which are the nourishing food of the people. I beg to say, if this sum is released it might be applied for the reduction of this tax at least. It could also be employed for the improvement of sanitation, the supply of water which is so much needed. The amount allotted for water-supply is quite insufficient. If you go into the country and see the local conditions there at present, you will find at this time of the season, the people are in great need of water. The rivers and tanks have been dried up; the wells cannot supply a sufficient amount of water, not only for the cattle but for the people. I beg to submit that if this amount for the Presidency Police which is rather an Imperial concern is released it can be utilised for this purpose. In this connection I beg to submit, Sir, that

the Meston Award should be revised and some portion of the income-tax should be awarded for provincial revenues. With these remarks I beg to move my motion.

The Hon'ble Sir HUGH STEPHENSON: The Rai Sahib has rather larger ideas than most people. Ordinarily when a member proposes to make a cut in order to raise a discussion, he does so by proposing a cut of Re. 1 but the Rai Sahib proposes one of over a lakh. Secondly, although I come from south of the Tweed I am always very anxious to make other people pay for my concern, I think it is rather too much to ask the Government of India to pay for the police of Calcutta. The Government of India has nothing whatever to do with the police of Calcutta; they have a certain number of offices at Calcutta, and if these offices want a police guard we make them pay for it. Therefore, I do not think that even the most hard-hearted man could ask the Government of India to pay for the cost of the Presidency Police.

Further the Rai Sahib has spent some time in devising how he would spend this money if the Government of India paid for the Presidency Police. I can assure him that if the Government of India had paid for this police there would not have been any money to spend. They would have taken care so to regulate our settlement so that we would not get anything out of it. Therefore, I trust that the Rai Sahib will withdraw his motion.

The motion of Rai Sahib Panchanan Barma was then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

Babu NALINIRANJAN SARKER: "That the demand of Rs. 31,28,650 under the head '26A—Presidency Police' (page 107, Civil Estimate) be reduced by Re. 1."

Maulvi ZANNOOR AHMED: "That the demand of Rs. 16,000 under the head '26B—Superintendence—Travelling allowance' (page 113, Civil Estimate) be reduced by Rs. 5,000."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 1,75,900 under the head '26B—Superintendence' (page 113, Civil Estimate) be refused."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 1,75,900 under the head '26B—Superintendence' (page 113, Civil Estimate) be reduced by Rs. 1,00,000."

SHAH SYED EMDADUL HAQ moved that the demand of Rs. 1,75,900 under the head "26B—Superintendence" (page 113, Civil Estimate) be reduced by Rs. 7,900.

He spoke in Bengali. The English translation of which is as follows:—

"Sir, in view of the absence of the majority of the members from the House I did not wish to move the motions standing in my name with regard to the budget. But I have thought that the interest of my constituents would be better served by taking part in the discussion on the budget although Government might not accept all the motions for reduction. A further cause of my presenting myself in the House is the amendment motion with regard to the Improvement Trust Bill of which I gave notice for the welfare of the Moslem community. I also desire particularly to state my complaints against the Police budget. No doubt there is a section of people who say that the councils are barren institutions and no purpose is served by going in them. What purpose do these men serve by absenting themselves from the Council without resigning their seats?

This motion relates to the reduction of Rs. 7,900 from the demand for the salaries of the Deputy Superintendent of Police. The Retrenchment Committee recommended reduction of the number of Deputy Superintendents and Deputy Inspectors-General. Why have not Government taken action on the recommendation? There has also been a further increase in the number of head-constables and constables. The Police expenditure in Bengal is 3½ lakhs whereas in Madras it is 2¾ lakhs, in Bombay 2 lakhs and in the United Provinces 2¼ lakhs. It is a matter for shame that the Bengal Government should try to further increase their Police expenditure which is already heavy enough. What are we to say to them again for placing the salaries of the Assistant Superintendents on the non-voted list and thereby curtailing our rights. I shall have more to say on this subject when speaking on the other motions. For the present I content myself with moving the motion standing in my name."

Rai Sahib PANCHANAN BARMA: I beg to move that the demand of Rs. 1,75,900 under the head "26B—Superintendence" (page 113, Civil Estimate) be reduced by Rs. 5,900.

I beg to submit at the beginning that the amount to be reduced is Rs. 5,900. The amount seems to be a large one, but I really want to discuss some questions with regard to the superintendence of the Police and not so much the cut. In the districts there are Superintendents, Deputy Superintendents, Assistant Superintendents, but the work is not always so very satisfactory. There are Sub-Inspectors in charge of police-stations whom many people are afraid to

approach simply because they do not get justice. In an abduction case in Rangpur a few years ago a niece of Baishnavi Ghrita Kumari, who was abducted, went with another man to the Sub-Inspector of the thana and lodged a complaint. The Sub-Inspector said "It is a case of elopement and not of abduction. I note it down, go home". The man asked the Sub-Inspector to go to the place and see for himself the position. He said "Well, why should I go, how can I go there, even the pice for food will not be had". So, Sir, this is the case. The case of Hem Chandra Sen is well known in connection with the abduction of Barodi Sundari.

Mr. PRESIDENT: What is your point, Rai Sahib? I think in a general discussion of this character it would be better to avoid details as far as possible.

Rai Sahib PANCHANAN BARMA: I say that the superintendence is not good. I have quoted two instances of abduction. People are afraid to go to the police thana simply because if they go there, there will be a charge of fees. If complaint is made which cannot but be rare, remedy cannot always be had. So if this is the sort of superintendence that is going on why then are they there? As instance, I may quote one thing. Two years ago two Sub-Inspectors, one Assistant Sub-Inspector and an Inspector had to be dismissed. I beg to submit, Sir, that this sort of superintendence is not good. If some fault is found, the man committing the fault is dismissed. That is not the proper superintendence of the Police. The superintendence should be so as to prevent any wrong being committed, or to prevent it as much as possible. We see in two years four Police officers have been dismissed and the fate of one is hanging in the balance in connection with another case.

With these remarks I beg to submit that the superintendence should be made more effective.

The Hon'ble Sir HUGH STEPHENSON: Although of course we welcome the Shah Sahib back again in our midst I may be permitted perhaps to express a hope that he has now given us once for all his considered view on the Police administration in Bengal. So far as I can understand he objects to this vote on the ground that there is only one Inspector-General while there are five Deputy Inspectors-General or in the alternative because of the figures under the heads clerks, head-constables, constables and servants. As regards the latter point it is quite obvious from the figures that as is very often the case in a big establishment there have been different classification in different years.

Then Rai Sahib Panchanan Barma has moved his motion mainly to call attention to certain cases of abduction in his part of the province.

I think the house will agree that it is quite impossible for me to discuss the merits of individual cases in this Council. It is a thorny subject and as I have previously answered questions in this Council it is only when certain facts are present that the Police have any power to take cognizance. If the Rai Sahib thinks that an injustice has been done in any particular case I shall be delighted to have an investigation made but I think the house will agree that to reduce the vote on superintendence on the ground that in the last two years 3 Sub-Inspectors and 1 Inspector have been dismissed is surely not a logical argument. If the Rai Sahib reduces this vote there would be no superintendence and these men in future will not be dismissed and the injustice that they have done will continue. Surely it would have been more reasonable for the Rai Sahib to ask Government to increase the number of officers for the purpose of superintendence. I oppose both these motions.

Rai Sahib PANCHANAN BARMA: In view of the remark made by the Hon'ble Member that he will investigate into this matter if approached I beg to withdraw my motion.

The motion of Shah Syed Emdadul Haq that the demand of Rs. 1,75,900 under the head "26B—Superintendence" be reduced by Rs. 7,900 was put and lost.

The following motion of Rai Sahib Panchanan Barma was then, by leave of the Council, withdrawn:

That the demand of Rs. 1,75,900 under the head "26B—Superintendence" be reduced by Rs. 5,900.

SHAH SYED EMDADUL HAQ moved—

(1) that the demand of Rs. 1,67,720 under the head "26C—District Executive Force—Pay of Deputy Superintendents" be refused;

(2) that the demand of Rs. 1,67,720 under the head "26C—District Executive Force—Pay of Deputy Superintendents" be reduced by Rs. 32,000;

(3) that the demand of Rs. 1,67,720 under the head "26C—District Executive Force—Pay of Deputy Superintendents" be reduced by Re. 1.

He spoke in Bengali. The English translation of which is as follows:—

Sir, last year the number of the Superintendents was 36, which in the present year has been increased to 37. The number of the Assistant Superintendents was 50 and has been increased to 58. The number of the Deputy Superintendents has not been increased. We find, therefore,

that the increase, in the main, has been effected in the number of the Assistant Superintendents whose salaries have been placed on the non voted list. The only resource open to us is to move the reduction of the salaries of the Deputy Superintendents who are Indians.

Notwithstanding the various complaints made against the conduct of the subordinate police officials, it is true that it is they who contribute substantially towards maintaining peace and order in the mufassal. The main part of the work of the police is done by the subordinate police officials, under the direction of the Inspectors who are very often abler officers than the Deputy Superintendents and are as honest as their superiors. Government might easily abolish the post of the Deputy Superintendent and increase the salaries of the Inspectors who, it may be expected, will efficiently carry on the work of the department.

The question of the Assistant Superintendent is a forbidden subject and I must not say anything about them except that they are all, in experienced young Britishers. It is an extremely unfortunate thing that the representatives of the people should be debarred from having a voice in sanctioning any item of expenditure necessary to carry on the work of administration. I move, therefore, the present motion for the rejection of the salaries of the Deputy Superintendents.

The motion No. (2) relates to the same subject and recommends the reduction of Rs. 32,000 from the demand for Police, in case the former motion is thrown out. The amount recommended for reduction is an increase on the last year's demand on this head.

The motion No. (3) is also on the same subject and recommends the reduction of Re. 1.

We take pride in saying that Bengal is more advanced than Assam but Bengal has failed to imitate the example set by the backward Assam which has made over the income derived from the enhancement of the stamp duties to nation-building work whereas Bengal Government has appropriated the money for the Police.

In conclusion, I like to point out to Government that I hope that they will effect some reduction in the Police estimates and hand over the money for constructive work even though this motion may be thrown out. We usually cry in the wilderness when we speak in the House but it should be remembered that Government owe something to themselves.

The following motion of Maulvi Zannoor Ahmed was called but not moved:—

"That the demand of Rs. 1,67,720 under the head '26C—District Police—Pay of Deputy Superintendents' be reduced by Rs. 17,720."

The Hon'ble Sir HUGH STEPHENSON: As far as I can gather from the Shah Saheb's speech I think he is unable to find some reason for the provision made for the pay of Deputy Superintendents as a "non-voted" one. If members will look at the provision made for Superintendents "voted" they will find that there is no real increase in the total. The provision made for Deputy Superintendents, whether they are acting as Superintendents or they are Deputy Superintendents is very much the same; but it has been split up in a particular way by the Finance Department, and there is no ulterior motive behind it.

As regards the Shah Saheb's general argument, I think, the House will agree with me that when a member puts in three motions, which cuts one item first of all by total refusals, secondly by reducing it by Rs. 32,000 and finally by reducing it by Re. 1, it does not really deserve to be taken very seriously.

The following motions were then put and lost:—

"That the demand of Rs. 1,67,720 under the head '26C—District Executive Force—Pay of Deputy Superintendents' (page 114, Civil Estimate) be refused."

"That the demand of Rs. 1,67,720 under the head '26C—District Executive Force—Pay of Deputy Superintendents' (page 114, Civil Estimate) be reduced by Rs. 32,000."

"That the demand of Rs. 1,67,720 under the head '26C—District Executive Force—Pay of Deputy Superintendents' (page 114, Civil Estimate) be reduced by Re. 1."

The following motions were called but not moved:—

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 3,00,000 under the head '26C—Pay of Inspectors' (page 114, Civil Estimate) be reduced by Rs. 10,000."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 3,00,000 under the head '26C—District Executive Force—Temporary Intelligence staff' (page 115, Civil Estimate) be refused."

SHAH SYED EMDADUL HAQ moved that the demand of Rs. 3,00,000 under the head "26C—District Executive Force—Temporary Intelligence staff" (page 115, Civil Estimate) be refused.

The Hon'ble Sir HUGH STEPHENSON: I oppose the motion.

The motion of Shah Syed Emdadul Haq was then put and lost.

The following motions were called but not moved:—

Maulvi ZANNOOR AHMED: "That the demand of Rs. 3,00,000 under the head '26C—District Executive Force—Pay of temporary District Intelligence staff' (page 115, Civil Estimate) be reduced by Rs. 50,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 3,00,000 under the head '26C—District Executive Force—Temporary Intelligence staff' (page 115, Civil Estimate) be reduced by Rs. 30,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 3,00,000 under the head '26C—District Executive Force—Temporary Intelligence staff' (page 115, Civil Estimate) be reduced by Re. 1."

Maulvi ZANNOOR AHMED, Babu AMULYA DHONE ADDY and SHAH SYED EMDADUL HAQ: "That the demand of Rs. 10,00,000 under the head '26C—District Police—Travelling allowances' (page 116, Civil Estimate) be reduced by Rs. 40,000."

SHAH SYED EMDADUL HAQ moved that the demand of Rs. 5,200 under the head "26C—District Police—Supplies and Services —Other Charges" (page 116, Civil Estimate) be refused.

He spoke in Bengali. The English translation of which is as follows:—

A point deserving notice in this connection is that no demand with regard to this item is given in the printed copy of the budget. Last year the expenditure under this head was Rs. 936 which in the current year has amounted up to Rs. 5,200; under these circumstances I move the total rejection of the demand and further request Government in case they are not able to accept the motion, to effect some reduction in the Police estimates for the sake of their own honour and for the sake of the honour of this House.

The Hon'ble Sir HUGH STEPHENSON: This is a new item which appears this year mainly because the Accountant-General classified some of the ordinary charges of last year under this separate head and so they now appear under a separate head in the budget of this year. It provides for the recurring charges incurred for the maintenance of two motor-lorries for Barrackpore and Serampore which this House voted

in the supplementary estimates last August, and provides for some other ordinary charges which the Accountant-General has classified under this head.

The motion of Shah Syed Emdadul Haq was then put and lost.

The following motion was called but not moved:—

Babu KHAGENDRA NATH CANGULY: "That the demand of Rs. 98,000 under the head '26C—District Executive Force—Improvement of the furniture and equipment of thanas' (page 50, Budget Estimate) be refused."

SHAH SYED EMDADUL HAQ moved that the demand of Rs. 91,000 under the head "26C—District Police—Other Non-Contract Charges" (page 116, Civil Estimate) be reduced by Rs. 51,000.

He spoke in Bengali. The English translation of which is as follows:—

Sir, the expenditure under this head has been increased from Rs. 51,000 to Rs. 91,000 without any plausible explanation for it. Government might have at least explained their reasons, because in the absence of such explanation, the public are led to think that the increase has been effected autocratically. I move, therefore, the reduction of this demand by Rs. 51,000.

The Hon'ble Sir HUGH STEPHENSON: I oppose this motion. The extra provision under this head is, as I explained to the Council when introducing the budget, required for the mosquito curtains for the police force in malarious districts. The necessity for this provision I explained to the Council on a previous occasion; it is a provision that has been urged upon us more and more strongly every year by our officers. We provide mosquito curtains for convicts in jail hospitals. We provide jail warders with mosquito curtains, but our constables in the malaria affected swamps have to live in miserable hovels and therefore we do not supply them with mosquito curtains they suffer greatly in health. There were 511 cases of invalid pension last year. Of these 282 were for invalid pension, and 69 for invalid gratuities, showing that these 69 were invalided at a very early stage of their career. I think, Sir, the House will agree with me that it is a more businesslike proposition to spend Rs. 50,000 for keeping our men in good health than to keep them in malaria affected places and give them invalid pensions when their health fails.

The motion of Shah Syed Emdadul Haq was then put and lost.

The following motions were called but not moved:—

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 1,14,88,000 under the head '26C—District Executive Force' (page 114, Civil Estimate) be reduced by Rs. 64,88,000."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 1,14,88,000 under the head '26C—District Executive Force' (page 114, Civil Estimate) be reduced by Rs. 14,00,000."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 1,14,88,000 under the head '26C—District Executive Force' (page 114, Civil Estimate) be reduced by Rs. 3,45,000."

Babu SATYA KISHORE BANERJEE and Maulvi WAHED HOSSAIN: "That the demand of Rs. 1,14,88,000 under the head '26C—District Executive Force' (page 114, Civil Estimate) be reduced by Rs. 3,00,000."

SHAH SYED EMDADUL HAQ moved that the demand of Rs. 1,14,88,000 under the head "26C—District Executive Force" (page 115, Civil Estimate) be reduced by Rs. 1,50,000.

He spoke in Bengali. The English translation of which is as follows:—

Sir, it is a matter for shame that the police expenditure is being increased from year to year while the nation-building departments are being starved. I do not intend to take up more time in pointing out to Government the unjustifiableness of continually increasing the police expenditure which I have already done, and I beg to move the motion with this recommendation that even if the motion proves unacceptable to Government they may save up the sum of a lakh and half and spend it on education and for similar other purposes.

The motion was put and lost.

The following motions were called but not moved:—

Babu NALINIRANJAN SARKER and Babu HEMANTA KUMAR BARKAR: "That the demand of Rs. 1,14,88,000 under the head '26C—District Executive Force' (page 114, Civil Estimate) be reduced by Re. 1."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 54,000 under the head '26D—Police Training School—Calcutta Police' (page 118, Civil Estimate) be refused."

Maulvi ZANNOOR AHMED: "That the demand of Rs. 54,000 under the head '26D—Police Training School, Calcutta' (page 118, Civil Estimate) be reduced by Rs. 5,000."

SHAH SYED EMDADUL HAQ moved that the demand of Rs. 54,000 under the head "26D—Police Training School—Calcutta Police" be reduced by Re. 1.

He spoke in Bengali. The English translation of which is as follows:—

The Retrenchment Committee which was constituted with pro-Government men recommended the omission of this expenditure. There is also one school which may serve the purpose. But Government have thought it fit to make a demand for money for expenditure on this head without even caring to state their reasons. What is this but autocracy and deliberate flouting of the House. I move, therefore, the reduction of Re. 1.

The Hon'ble Sir HUGH STEPHENSON: The Police Training School (Calcutta Police) is a new head in the Budget this year because hitherto the cost has been shown under the general head. The actual provision for the training school for the current year is Rs. 83,000 and for the next year the estimate is Rs. 54,000. I cannot, however, take much credit for economy on this account because the difference is explained by the transfer to the general head of the pay of the constables under training. I oppose the motion.

The motion of Shah Syed Emdadul Haq was then put and lost.

The following motion was called but not moved:—

Maulvi ZANNOOR AHMED: "That the demand of Rs. 1,71,900 under the head '26D—Police Training School—District Police' (page 119, Civil Estimate) be reduced by Rs. 20,000."

SHAH SYED EMDADUL HAQ moved that the demand of Rs. 2,26,000 under the head "26D—Police Training School" (page 119, Civil Estimate) be refused.

The motion was put and lost.

The following motions were called but not moved:—

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 2,26,000 under the head '26D—Police Training School' (page 119, Civil Estimate) be reduced by Rs. 2,00,000."

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 2,26,000 under the head '26D—Police Training School' (page 119, Civil Estimate) be reduced by Re. 1."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 1,01,000 under the head '26E—Frontier Police, Chittagong' (page 121, Civil Estimate) be reduced by Rs. 71,000."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 1,01,000 under the head '26E—Special Police—Frontier Police, Chittagong' (page 121, Civil Estimate) be reduced by Re. 1."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 3,72,600 under the head '26E—Special Police' (page 120, Civil Estimate) be refused."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 3,72,600 under the head '26E—Special Police' (page 120, Civil Estimate) be reduced by Rs. 3,00,000."

Babu AMULYA DHONE ADDY: I move that the demand of Rs. 3,85,250 under the head "26F—Eastern Bengal Railway Police" (page 122, Civil Estimate) be reduced by Rs. 9,000.

I think that there is a mistake in the figures. On page 122 of the Civil Estimate I find that the figure is Rs. 4,85,250 and I ask your permission to correct my motion accordingly.

Mr. PRESIDENT: Why do you say that the figures are wrong?

Babu AMULYA DHONE ADDY: It appears so on page 122 of the total estimate.

Mr. PRESIDENT: But there are certain non-voted items. You may take it that the figures given by the Legislative Department are correct.

Babu AMULYA DHONE ADDY: Very well. I bow to your decision.

Sir, what I mean is not the reduction of this grant by Rs. 9,000 but to draw special attention of the Government to two matters. The first is of inefficiency of the Railway Police, and, secondly, that it is the Government of India who should pay for the Eastern Bengal Railway Police and not the Government of Bengal. In the year 1921 the total number of cases investigated was 8,100 out of the minor offences against property was 6,201. In other words over 70 per cent. of the crimes investigated consisted of minor offences against property. It appears, however, from that report that in the year 1921 the number of complaints was 6,201 but the number of cases which ended in conviction was only 630. So it appears that the number of cases which ended in conviction was not more than 8 per cent. of the total number of cases which were investigated or rather the total number of complaints. Therefore, it is quite plain that the Railway Police is most inefficient and either the complaints were false or that the Railway Police were unable to detect the real culprits and had them punished by the proper court. Sir, as a representative of the Bengal National Chamber of Commerce which are interested in the inland trade of Bengal, I beg to draw the attention of the Hon'ble Member in charge that there is a great pilfering of goods during railway transit. It is known to everybody and therefore my first contention is that having regard to the above facts to which our attention has been drawn by the Bengal Retrenchment Committee and having regard to the facts which are unknown to those gentlemen who are interested in trade and commerce, I may draw attention of the representatives of the Bengal Chamber of Commerce to this matter that there is a great pilfering of goods going on during railway transit. Therefore, my suggestion is that the Government would be pleased to make the Railway Police more efficient. My second point is that it is the duty of the Government of India to maintain the Railway Police as the earnings of the Railway are taken away by the Government of India. It appears from the budget that for the maintenance of the Railway Police—not only the Eastern Bengal Railway, but the East Indian and Assam Bengal Railways and other railways which are within the Province of Bengal, the total expenditure is Rs. 7,60,000 but the amount which is recoverable on this account is only Rs. 20,000.

In the year 1925-26 the amount was Rs. 60,000, but this year, it appears from the budget, it is going to be reduced to Rs. 20,000. Now, Sir, the question is who are more interested in this matter. I admit that the public are interested to a certain extent, but it is the property of the Railway which is to be taken care of by the police, and, therefore, the Railway authority, I mean the Government of India in this particular case, is more interested than the Government of Bengal in connection with the maintenance of law and order and in connection with the protection of property in the railways. Sir, the Government

of India has been making huge profit from the railways, and, therefore, we can certainly make a humble representation to that Government to pay for the Railway Police, or at least to make a substantial contribution towards the cost of its maintenance. I would draw attention to one fact, namely, that in the case of 3rd class passengers the fares have been increased by leaps and bounds. In the Eastern Bengal Railway the fare was by mail train 2½ pies per mile in 1912, it has now been increased to 5 pies, and the same is the case in the East Indian Railway. Then as regards the freight on goods, in the case of rice from Khulna to Kalighat the rate was one anna nine pies per maund in 1922, now it is——.

Mr. PRESIDENT: What is the relevancy of your remarks to the matter under discussion?

Babu AMULYA DHONE ADDY: My contention is that the Government of India has been realising good income from the railways by increasing the rates on fare as well as the rates of freight on goods, and, therefore, the Government of India are in a position to pay for the maintenance of law and order in the railways. That is my contention with regard to this point. We all know that in the case of coal, because of the heavy railway freight 50 per cent. of the collieries have had to be closed, and in the case of rice——.

The Hon'ble Sir HUGH STEPHENSON: On a point of order, Sir, I submit that the condition of rice or coal is not relevant to the point under discussion.

Mr. PRESIDENT: I also thought as much, but as the Government Member did not raise a point of order, I allowed the member to continue.

Babu AMULYA DHONE ADDY: My point is first that the Railway Police is inefficient; secondly, that it is the duty of the Government of India to pay for their maintenance, because the Railway authorities are vitally interested so far as the protection of the Railway property is concerned, and, therefore, I take the opportunity of making this suggestion on behalf of the Bengal National Chamber of Commerce that the Government will be pleased to make the Railway Police more efficient and, secondly, to make a representation to the Government of India to pay for the maintenance of law and order in the railways, or rather to make a substantial contribution towards the cost. Two years ago when the railways were under company management, the Local Government used to recover the whole of the cost from the company. Now that the railways are vested in the Government of India, the Local Government can certainly ask the Government of India to pay for the

maintenance of the police. I do not want to press my amendment, but I want to draw the attention of the Hon'ble Member to these facts.

Mr. PRESIDENT: I think the same arguments apply to the next three amendments standing in your name?

Babu AMULYA DHONE ADDY: Yes Sir. I shall not move them.

The motion of Babu Amulya Dhone Addy was then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

Babu AMULYA DHONE ADDY: "That the demand of Rs. 2,14,000 under the head '26F—East Indian Railway Police' (page 122, Civil Estimate) be reduced by Rs. 9,000."

Babu AMUYLA DHONE ADDY: That the demand of Rs. 51,050 under the head '26F—Assam Bengal Railway Police' (page 123, Civil Estimate) be reduced by Rs. 4,886."

Babu AMULYA DHONE ADDY: "That the demand of Rs. 58,000 under the head '26F—Bengal Nagpur Railway Police' (page 124, Civil Estimate) be reduced by Rs. 8,000."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 7,08,300 under the head '26F—Railway Police' (page 121, Civil Estimate) be reduced by Rs. 6,08,300."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 7,08,300 under the head '26F—Railway Police' (page 121, Civil Estimate) be reduced by Rs. 3,30,000."

SHAH SYED EMDADUL HAQ moved that the demand of Rs. 7,08,300 under the head "26F—Railway Police" (page 121, Civil Estimate) be reduced by Rs. 9,000.

He spoke in Bengali. The English translation of which is as follows:—

The Railway Police expenditure has also been unjustifiably increased in many of its details. I am unwilling, however, to speak at length on this subject, because all that I shall say will be a cry in the wilderness. I shall content myself with mentioning one instance only, namely, the wholly unnecessary appointment of a Superintendent for the Assam Bengal Railway Police, unnecessary because we know all the

work is performed practically by the Inspectors. I move, therefore, this motion for reduction.

The motion was then put and lost.

The following motion was called but not moved:—

Babu NALINIRANJAN SARKER: "That the demand of Rs. 7,08,300 under the head '26F—Railway Police' (page 121, Civil Estimate) be reduced by Rs. 100."

SHAH SYED EMDADUL HAQ moved that the demand of Rs. 2,71,000 under the head "26G—Criminal Investigation Department—Temporary Force" be refused.

The motion was then put and lost.

The following motions were called but not moved:—

Maulvi ZANNOOR AHMED: "That the demand of Rs. 2,71,000 under the head '26G—Criminal Investigation Department—Temporary Force' (page 125, Civil Estimate) be reduced by Rs. 50,000."

Babu AMULYA DHONE ADDY: "That the demand of Rs. 2,71,000 under the head '26G—Criminal Investigation Department—Temporary Force' (page 125, Civil Estimate) be reduced by Rs. 1,000."

SHAH SYED EMDADUL HAQ moved that the demand of Rs. 75,000 under the head "26G—Criminal Investigation Department—Secret Service Money" be refused.

He spoke in Bengali. The English translation of which is as follows:—

Sir, the people are anxious to know on what purpose the money demanded under this head is spent. Since they pay the money they are entitled to know the object for which it is going to be spent. Government are mere trustees of the money and owe it to the people to account for its expenditure. If they will not do it, it is useless to place this demand earmarked as secret on the voted list and compel the representatives of the people to be helpless witnesses to the misappropriation of public money. Government might have as well placed it on the voted list and spared much unpleasantness. As things stand we shall be acting against our conscience if we sanction a demand about the nature and motive of which we are in the dark. Government might carry the item by the majority which

they have come to possess in consequence of the withdrawal of the majority of the elected members, but in that case we shall not be responsible for the sanction of the demand. In view of this consideration I beg to move the motion standing in my name.

The motion was put and lost.

The following motions were called but not moved:—

Maulvi ZANNOOR AHMED: "That the demand of Rs. 75,000 under the head '26G—Secret Service Money' be reduced by Rs. 20,000".

SHAH SYED EMDADUL HAQ moved that the demand of Rs. 75,000 under the head "26G—Criminal Investigation Department—Secret Service Money" be reduced by Re. 1.

The motion was then put and lost.

The following motions were called but not moved:—

Babu HEMANTA KUMAR SARKAR: "That the demand of Rs. 9,44,200 under the head '26G—Police—Criminal Investigation Department' (page 125, Civil Estimate) be refused."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 9,44,200 under the head '26G—Criminal Investigation Department' (page 125, Civil Estimate) be reduced by Rs. 7,44,200."

Babu KHAGENDRA NATH CANGULY: "That the demand of Rs. 9,44,200 under the head '26G—Criminal Investigation Department' (page 125, Civil Estimate) be reduced by Rs. 3,00,000."

Babu TARAKNATH MUKERJEA: "That the demand of Rs. 9,44,200 under the head '26G—Police—Criminal Investigation Department' (page 125, Civil Estimate) be reduced by Rs. 2,30,000."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 9,44,200 under the head '26G—Criminal Investigation Department' (page 125, Civil Estimate) be reduced by Rs. 2,00,000."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 9,44,200 under the head '26G—Criminal Investigation Department' (page 125, Civil Estimate) be reduced by Rs. 2,00,000."

Rai HARENDRANATH CHAUDHURY: "That the demand of Rs. 9,44,200 under the head '26G—Criminal Investigation Department' (page 125, Civil Estimate) be reduced by Rs. 1,00,000."

Babu SATYA KISHORE BANERJEE: "That the demand of Rs. 9,44,200 under the head '26G—Criminal Investigation Department' (page 125, Civil Estimate) be reduced by Rs. 1,00,000."

Rai Sahib PANCHANAN BARMA: I beg to move that the demand of Rs. 9,44,200 under the head "26G—Criminal Investigation Department" (page 125, Civil Estimate) be reduced by Rs. 4,200.

My object in moving this is to know what the Criminal Investigation Department are doing. There were two murder cases which came to my notice, one in Kurigram and another in Dinajpur——.

Mr. PRESIDENT: I think you should avoid, in discussing demands generally, to refer to individual cases like that.

Rai Sahib PANCHANAN BARMA: I want only to know what the Criminal Investigation Department is doing.

Mr. PRESIDENT: Please try and avoid referring to any particular case. I do not know whether they are *sub judice* or not; if they are, you should not refer to them.

Rai Sahib PANCHANAN BARMA: In that case I will not move my motion, and ask leave to withdraw it.

The motion was then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 9,44,200 under the head '26G—Criminal Investigation Department' (page 125, Civil Estimate) be reduced by Rs. 4,000."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 1,71,12,000 under the head '26—Police' (page 107, Civil Estimate) be refused."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 1,71,12,000 under the head '26—Police' (page 107, Civil Estimate) be reduced by Rs. 71,12,000."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 1,71,12,000 under the head '26—Police' (page 107, Civil Estimate) be reduced by Rs. 20,00,000."

Babu TARAKNATH MUKERJEA: "That the demand of Rs. 1,71,12,000 under the head '26—Police' (page 107, Civil Estimate) be reduced by Rs. 18,12,000."

Babu KHAGENDRA NATH GANGULY: "That the demand of Rs. 1,71,12,000 under the head '26—Police' (page 107, Civil Estimate) be reduced by Rs. 8,00,000."

Maulvi WAHED HOSSAIN: "That the demand of Rs. 1,71,12,000 under the head '26—Police' (page 107, Civil Estimate) be reduced by Rs. 7,00,000."

Maulvi SAYYED SULTAN ALI: I beg to move that the demand of Rs. 1,71,12,000 under the head "26—Police" (page 107, Civil Estimate) be reduced by Rs. 3,97,000.

Sir, in moving this resolution I do not like to discuss anything in detail because the majority of the members of this House have discussed the administration of this department times without number, and, as far as I remember, the criticisms levelled against the administration of the Police Department have been more serious than any other department. All that I want to emphasise upon the Government is that when the majority of the members of this House as well as the people of this country are of opinion that the expenditure under this head is much more than what it should have been, I think, the Government should, in the interests of Government as well as of the people, try at least to incur that expenditure which has been incurred in previous years. And I believe, the Government will make a sincere endeavour to curtail expenditure wherever possible and will not raise it. In the budget, Sir, we find that under this head there is an increased provision of about Rs. 3,97,000. Consequently I have suggested a reduction of Rs. 3,97,000 so as to keep it equal to that which has been spent in the last year.

With these observations I beg to move this motion.

The Hon'ble Mr. J. DONALD: As an amendment to the motion of Maulvi Sayyed Sultan Ali which has just been moved, I beg to move that instead of the figure Rs. 3,97,000, the figure Rs. 50,000 be substituted. Government accept a cut of Rs. 50,000.

The Hon'ble Sir HUGH STEPHENSON: Maulvi Sayyed Sultan Ali has moved this resolution and the figure he has chosen is one which would reduce next year's budget to this year's revised. I have already on various occasions pointed out that this year's revised is purely guess work, and that the question of the budget for the next year, the actual

figure of the budget is one which we must leave to the Finance Department. We decide what force shall be kept up, what pay we shall give, and the Finance Department decide what total amount is likely to be spent during the coming year. At the end of the year they guess again.

The Maulvi Sahib said that police expenditure in Bengal is greater than it should be. Well, Sir, I deny that, but I do not propose to take the House through statistics I have spoken on several occasions before on this, but I think if the Maulvi Sahib will examine our police expenditure with the expenditure of Madras and Bombay compared with the population of these provinces, he will find that we are extraordinarily economical. But, Sir, I do realise the wish of the House that the expenditure compatible with efficiency should be very carefully scrutinised so as to see that there is no extravagance, and, in order to mark our sense of our agreement with the Council that there is necessity for jealously scrutinising all police expenditure, I am prepared to accept this cut of half a lakh of rupees from our total budget.

The budget, I may explain, is prepared and scrutinised as jealously as we can. Then it runs the gauntlet of the Finance Department who are by no means disposed to over extravagance, and, as far as any particular item of the budget is concerned, I cannot accept a cut of that item. First of all we start with the sanctioned establishment and the sanctioned pay; we then compare the expenditure of the last four years; then the Finance Department make calculations as to how many men are likely to be on leave, how much short the strength is likely to be and so forth; and from their past experience they budget for a figure which is always a great deal below the actual cost of our sanctioned establishment. Therefore if I accept a cut on any particular item, the Accountant-General will not allow me to reappropriate from one item to another; if the Council has actually voted a sum and we exceed it we cannot reappropriate to meet the excess and then we have to come to the Council again for another vote before the end of the year. On the other hand, if I accept a cut of half a lakh of rupees, I must ask the Inspector-General to show a saving of half a lakh somewhere at the end of the year, and that is probably the best way to ensure economy.

Maulvi SAYYED SULTAN ALI: In view of the Hon'ble Member's answer, I will not press my motion. I accept the amendment for a cut of Rs. 50,000.

The motion of Maulvi Sayyed Sultan Ali, as amended by the Hon'ble Mr. J. Donald, was then put and agreed to.

The following motions were called but not moved:—

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 1,71,12,000 under the head '26—Police' (page 107, Civil Estimate) be reduced by Rs. 4,000."

Maulvi EKRAMUL HUQ: "That the demand of Rs. 1,71,12,000 under the head '26—Police' (page 107, Civil Estimate) be reduced by Re. 1."

The motion that a sum of Rs. 1,71,12,000, as amended in Council, be granted for expenditure under the head "26—Police" was then put and agreed to.

27—Ports and Pilotage.

The Hon'ble Mr. J. DONALD: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 5,97,000 be granted for expenditure under the head "27—Ports and Pilotage" (page 126, Civil Estimate).

SHAH SYED EMDADUL HAQ moved that the demand of Rs. 36,800 under the head "27B—Ports and Pilotage—Ports Establishments" (page 127, Civil Estimate) be reduced by Rs. 17,000.

He spoke in Bengali. The English translation of which is as follows:—

The motion is for the reduction of Rs. 17,000 from the expenditure under this head which has been increased by Rs. 17,800 in addition to Rs. 19,000 of the last year. Such increase of expenditure is wholly unjustifiable in view of the fact that the vital problems concerning the people are neglected for alleged want of funds. Under these circumstances I beg to move the reduction of the amount.

The motion was put and lost.

The following motions were called but not moved:—

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 5,97,000 under the head '27—Ports and Pilotage' (page 126, Civil Estimate) be refused."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 5,97,000 under the head '27—Ports and Pilotage' (page 126, Civil Estimate) be reduced by Rs. 50,000."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 5,97,000 under the head '27—Ports and Pilotage' (page 126, Civil Estimate) be reduced by Rs. 100."

The motion that Rs. 5,97,000 be granted for expenditure under the head "27—Ports and Pilotage" (page 126, Civil Estimate) was then put and agreed to.

30—Scientific Departments.

The Hon'ble Mr. J. DONALD: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 54,000 be granted for expenditure under the head "30—Scientific Departments" (page 131, Civil Estimate).

The motion was put and agreed to.

[At this stage the Council adjourned for 10 minutes.]

(After the adjournment.)

31.—Education.

The Hon'ble Mr. J. DONALD: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 1,22,76,000 be granted for expenditure under the head "31—Education". I explained the main features of this budget in my speech introducing the Budget; and I need not repeat them here.

SHAH SYED EMDADUL HAQ moved that the demand of Rs. 3,04,000 under the head "31B—Education (Reserved) Secondary—European and Anglo-Indian Education" be reduced by Rs. 44,000.

He spoke in Bengali. The English translation of which is as follows:—

Sir, I am not actuated by any feeling of jealousy but by the sense of duty in moving the reduction of Rs. 44,000 from the grant for European and Anglo-Indian education.

The money which Government spend belongs to the people. Under this circumstance I would have had nothing to say if a liberal grant for some particular section of the people had not stood in the way of the rightful owners of the money getting their due share. According

to the percentage of Europeans and Anglo-Indians in the population of the country, their share of money provided in the educational budget of 1,35,37,000 comes to about 2,000 only. The disproportionate increase of 44,000 upon the revised estimate of last year is, therefore, unjustifiable, wholly so because the increase on last year's revised estimate for secondary education falls far below it.

Europeans are well off as they are. It is the poor Indians who want money and the distribution in their case is unfair.

We want compulsory free primary education for the people for which Government are contemplating the imposition of a new tax. It would have been the right thing to give the entire sum provided in the educational budget for primary education. But instead of it, only 68,000 have been increased on the last year's estimate.

In my district the primary school teachers have not got more than 8 annas per head per month. Similar complaints are made by many other districts. But Rs. 72,000 more have been found for European primary education.

Thus we see that Government have been throughout unjust to Indians. I beg, therefore, to move the reduction of Rs. 44,000 from the demand under this head and propose that the same be made over to the primary education fund for Indians.

Dr. H. W. B. MORENO: My slender knowledge of Bengali and the very bad accoustics of this House made it very difficult for me to follow my old friend, the Shah Saheb, but from the manner in which he delivered his diatribe against Anglo-Indian education and from the exuberance of gesture, I came to the conclusion that he was very vehement against giving any grant for Anglo-Indian education. We hear a good deal in India about the protection of minorities and in most of the speeches that are delivered in this country we are told that there must be a union of all parties, that if the majorities are to have fitting representation minorities ought not to be neglected. I remember very well the able amendment moved by Sir Abd-ur-Rahim in which he spoke only the other day about the protection of minorities in Bengal. I remember, too, how that amendment led to a very serious state of affairs which I do not care to allude to on this occasion. Here, however, I see that while there is this talk of giving every protection to minorities when it is translated into fact it is otherwise. In the agenda paper we have a list of amendments to the demands for the education of Europeans and Anglo-Indians making serious cuts in these demands. Anybody who has studied the whole question of European and Anglo-Indian education cannot but come to the conclusion that the need for

money in these days is very paramount in their educations. At the present moment the whole community is passing through a very serious crisis. It is a woeful tale to relate; the growing number of unemployed people in the community is leading to a state of panic among the members of the community and people interested in their welfare are beginning to be distressed when they survey the whole question. It is felt that the community may altogether lose its place in the body-politic of the country, if this state of things continue for long. Poverty and distress are now where affluence and prosperity were before. We have funds formed by Anglo-Indians and their friends for the training of Anglo-Indian youth; most of us know how much the community is doing in the way of helping education for the young. Not only are there these Government grants, but education is also largely helped by the assistance of kind friends and sympathisers; so that, this grant, although it may be seemingly large, Rs. 3 lakhs and odd represents a very small portion when compared with the amount that is besides subscribed by the public for the upkeep of Anglo-Indian schools. It is an undeniable fact that the community is in a state of acute poverty; and there can be no challenging of a statement of the kind that if that be so, the children of the community suffer most. What is the present position? Most of the children are unable to go into schools for their education, for the simple reason that the schools are not sufficiently subsidised to accept these children, some on half-freeships and some on freeships, with the result that these children are unable to have the advantage of any form of education. The late Sir George Knox, with whom I had the privilege of talking on this important matter, made a very astounding statement to me; he said that he thought that about 70,000 children in India of the Anglo-Indian community were receiving no form of education at all. I understand that in Bengal the Kalimpong Homes are meeting a very important portion of the task in providing education for those unable to get admittance into other schools, but there are also a number of other denominational schools doing their very best to meet the need.

I should like to impress upon the members of this House the fact that we do not depend entirely upon Government grants, a good deal of money comes from Anglo-Indians and their friends. In spite of the fact that we get help from outsiders, from members of the community and from Government, our schools are largely in debt and unable to manage things for themselves. Only the other day La Martinère was practically in a state of ruin and was saved just in time by a magnificent gift from Sir Paul Chater. Most of our schools are making every effort to face the exigencies of the situation. It is, then, very hard on the community to know that their grants are cut down, when the schools are doing all they can to meet this need for educating the children of

the community. The Shah Saheb has told us that this money might be advantageously used for primary education. I have no quarrel with him at all on the question of the expansion of primary education, but I do say this: "Don't cut down this side in order to fill up the other". It seems to me that it would be a very foolish policy if carried out. We have here this serious position reached by the community and I take it that this Council will view very sympathetically a position of this kind, which I have endeavoured to recount to this Council. We do not oppose grants for Indian schools, though they may not compare very favourably with the Anglo-Indian school grants, but there is the great question to be considered with regard to Anglo-Indian schools and it is this, that whereas the Indian schools are non-boarding schools Anglo-Indian schools are boarding schools and a large portion of the grant goes for the upkeep of the boarders in these schools most of whom receive concessions in the fees they pay.

I should like to impress upon the Indian members of the House that we do not want things to be levelled down, we want rather that things should be levelled up. If my Indian friends would look at it from that point of view they will not grudge the small amounts that are being given to Anglo-Indian schools. I trust that their good sense will dictate that this demand should not be cut down at all, in view of the extreme poverty of the community and in view of the inability many of the children of the community have to receive some form of education, which alone opens the door to future prosperity, surrounded as they are by the trammels of "chill penury".

The Hon'ble Mr. J. DONALD: I am not sure whether the two speakers who have just spoken on this motion actually know what this provision is meant for. They have talked of Anglo-Indian education generally and they have talked of Indian education. This provision is meant for the maintenance and upkeep of two Government secondary schools at Kurseong, namely, the Victoria School for boys and Dow Hill School for girls. The main reason for the increase in the expenditure is due to the addition of a new dormitory in the Dow Hill School to accommodate about 50 more boarders. This requires more establishment. And as will appear from the budget estimates there will be a corresponding increase in fees. So really this scheme will pay for itself. The rest of the increase is largely due to new recruitment to fill up already sanctioned posts and to meet increments of salaries. It is expected that most of this expenditure will be covered by the increase in fees and there is really no additional expenditure on these schools. The money is necessary and I must, therefore, oppose the motion.

The motion of Shah Syed Emdadul Haq was then put and lost.

The following motions were called but not moved:—

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 3,04,000 under the head '31B—Education (Reserved) Secondary—Government Secondary Schools—European and Anglo-Indian Education' (page 134, Civil Estimate) be reduced by Re. 1."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 3,67,000 under the head '31B—Education (Reserved) Secondary—Direct grants for European and Anglo-Indian Education' (page 133, Civil Estimate) be refused."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 3,67,000 under the head '31B—Education (Reserved)—Secondary—Direct grants for European and Anglo-Indian Education' (page 133, Civil Estimate) be reduced by Rs. 2,67,000."

Babu AMULYA DHONE ADDY: "That the demand of Rs. 3,67,000 under the head '31B—European and Anglo-Indian Education' (page 133, Civil Estimate) be reduced by Rs. 27,000."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 3,67,000 under the head '31B—Education (Reserved)—Secondary—Direct Grants to Non-Government Secondary Schools (European and Anglo-Indian Education)' (page 136, Civil Estimate) be reduced by Re. 1."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 6,71,000 under the head '31B—Education (Reserved)—Secondary' (page 133, Civil Estimate) be reduced by Rs. 4,71,000."

SHAH SYED EMDADUL HAQ moved that the demand of Rs. 6,71,000 under the head "31B—Education (Reserved)—Secondary" (page 133, Civil Estimate) be reduced by Rs. 1,20,000.

He spoke in Bengali. The English translation of which is as follows:—

Sir, in moving this motion I quoted facts and figures to prove the injustice of the distribution made by Government. There is a net increase of Rs. 1,23,000 upon the last year's estimate. But Government have not thought it fit to make a similar provision for primary and secondary education and have thereby made an invidious distinction between Indian and European education, contrary to the promise given by the Queen in her proclamation.

Government are thinking of imposing a new tax for primary education and we have no doubt that the poor villagers will have to bear this burden. We have repeatedly warned Government against the imposition of new taxation on the villagers who have already come to the end of their taxable capacity. Even if the proposed tax is levied on the landlords and the mahajans, the money will have to be found out by the villagers in the long run. It is time that Government revise their present attitude, for, there is a limit to everything. I move, therefore, the reduction of Rs. 1,20,000 from the grant for "European Education".

The motion was then put and lost.

The following motions were called but not moved:—

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 4,05,000 under the head '31C—Education (Reserved)—Primary—Direct Grants to Non-Government Primary Schools for European and Anglo-Indian Education' (page 136, Civil Estimate) be reduced by Re. 1."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 34,000 under the head '31E—Education (Reserved)—General—Scholarships for European and Anglo-Indian Education' (page 139, Civil Estimate) be reduced by Re. 1."

Mr. SYED M. MASIH: "That the demand of Rs. 3,74,128 under the head '31A—Education—Grant to Calcutta University' (page 141, Civil Estimate) be reduced by Rs. 2,00,000."

Maulvi A. K. FAZL-UL HUQ: "That the demand of Rs. 3,74,128 under the head '31A—Education—Grant to the Calcutta University (page 141, Civil Estimate) be reduced by Re. 1."

Sir ABD-UR-RAHIM: I move that the demand of Rs. 3,74,128 under the head "31—Education—Grant to the Calcutta University" be reduced by Re. 1.

As is apparent I wish to discuss the policy and general administration of the Calcutta University. We have allowed the grant to that University of the post-graduate department to go unscathed, not because we are convinced that there will be no waste and that all the money will be properly applied. In fact we are not satisfied that the arrangements for the post-graduate studies are what they should be. Certain subjects are emphasised which ought not to have any place in the Calcutta University; others—some very important subjects—have been ignored. For instance, Arabic and Persian, which

are most important languages containing excellent and important literature which are studied all over the world, in all important universities in Europe and America, are sadly neglected by the Calcutta University which is situated in one of the largest centres of Muhammadan population. Whenever we point out how Muhammadans are being neglected by the Government or any other public authorities in any matter, a cry at once is raised in some quarters charging us with communalism even by those who join hands with us in other matters. In answer to those who thus charge us with communalism, I point to the Calcutta University as the monument of communalism. Sir, I went there the other day and was very kindly taken round the various departments of the University and asked to be shown the Arabic department. I was shown a dingy little room. There is no proper library for Arabic literature—nothing of the sort and I was told by one of the prominent gentleman who work there that even that little room is not reserved for the Arabic-Persian department. That alone, in my opinion, is sufficient to damn any Indian University, though that is not all. We have however allowed the grant for the post-graduate department, because we think that the whole system has to be overhauled. The Calcutta University for sometime has been pursuing an entirely wrong policy. They are controlling the whole of the schools and secondary education through the medium of matriculation. All these schools are made mere feeders to this University. What is the result? Thousands of matriculates are turned out every year—several thousand graduates are turned out every year and what is the standard? The standard is so low that nowhere in India can the graduates of the present day hold their own. Things were not always like that. The standard has been deteriorating from time to time till it has reached the lowest point. It is often said that the Calcutta University is the greatest University in India, it is the only University known to Europe. I do not know where that information is got from? If it is known to Europe, I am afraid it is not known very favourably—certainly it has not preserved its reputation in India itself. Look at the graduates of the Calcutta University. They cannot now compete for the Civil Service. But certainly they were once noted for their ability and cleverness in passing examinations. That is now past history. And why, pray tell me. It is the policy of the Calcutta University within the last few years that has brought about such a deterioration. Sir, the root cause of this going down of the standard is that there is really no aim—no purpose behind the policy of the Calcutta University. They are pursuing no definite object. They say that they cannot do without controlling the whole of school education through the matriculation examination. They must do this in order to keep up the work of the post-graduate department. The post-graduate department itself is not wisely run as I have already said. We cannot allow—Bengal cannot afford to allow a system like this to go on for ever. I say we have reached a point where you must make a halt. What are these thousands

of matriculates and graduates to do? Nothing but swell the ranks of the unemployed of what we call the *bhadrolok* semi-educated class. Surely, Sir, the first essential thing is that you must have a proper and sound scheme of secondary education. It must be self-contained. I do not think in any other country you find that all the schools are mere appenages to the University. This system should not be allowed to go on any longer. What is the average age of these matriculates? The average age is 18 and every one knows that matriculates of the Calcutta University at that age is not even fit to write a letter even to dictation. I am afraid the graduates are not very much better as a body. I do not say that there are not brilliant graduates. In any system of education however bad, brilliant and tallented young men will rise above the system. But take the average. That is the test of the University as to how education is being imparted. I say that the first thing necessary is that, secondary education must be removed from the control of the Calcutta University. It must be placed on a self-contained basis so that students leaving the school may have proper education and that they may be able to fit themselves to pursue some avocation in life. Sir, this state of things in the University cannot be tolerated any longer. So I suggest to the Government that no time should be lost in establishing a Board of Secondary Education to put it on proper basis. Let the University have their own matriculation examination. But let not the Calcutta University dominate the whole of the school education. Now, Sir, in this connection there is one proposal I must refer to and deal with and that is their latest proposal to introduce Bengali as the medium of instruction up to the matriculation standard. As to that proposal, if we had a proper system of secondary education and if those who have gone through the school receive education which would lead them to something, there might be something to be said in its favour but what would be the result if that proposal were adopted now. You will have this result. English will be considerably weakened. As it is, it is wholly unsatisfactory now and it would be still worse. The standard of the Calcutta University is very low. If you reduce it still further, what happens—what will happen is mere disaster. How many young men are you going to sacrifice: it is really sacrificing the lives of thousands of young men. You are leading them on to a patch which leads to nothing, and it would be worse still if you introduce Bengali as the medium of instruction. Now I can understand that if you have a sound system of secondary education—a self-contained system—and in that case if you have education right through the school course up to the school-leaving standard in Bengali, or in any other vernacular, that one can understand, provided you see that the boys who leave the school have got a chance of finding employment. But if the school is only to lead to the University, surely the introduction of the Bengali medium will make matters much worse. So I say whatever proposal there is before the Government, the Government, I

e, will carefully consider the matter before they sanction any such posal and not sanction it until at least a proper system of secondary cation is established in the country, not until then.

Then I come to another very important aspect of the question—the munal aspect as Mr. Addy and Mr. Khaitan would say. I say that hammadan education, bad as it is, will suffer to a still greater nt. At this stage of the growth of the Western education in my munity, we cannot allow that education to receive a set-back. We know that the Muhammadans were very reluctant for some time to il themselves of Western education with the result that they were behind in the race. When the partition took place and Eastern gal was separated from Western Bengal, the Muhammadans got a nce and within the four or five years that Government lasted edu- ion amongst the Muhammadans went up by leaps and bounds. ry one knows that Muhammadan education was systematically ouraged. Since then they have been making some progress and if put them back again, I say it would not be fair to the community all: that is one great objection we have in using Bengali as the lium of instruction. We want English to remain for some time il at least a proper system of secondary education is established.

Then another point is that the Muhammadan students taking up gali will be at a great disadvantage with respect to other students. y do speak—the majority of them do speak—some sort of Bengali it is not pure Bengali, it is not the same Bengali as is generally ken in Hindu households. They will be very much handicapped in petition with the Hindu boys. I say it is not fair to handicap them his way. Everyone knows that no Muhammadan student is allowed go to school until he has received a certain amount of elementary ning or elementary religious instruction in Arabic. They must d the Koran, they must know something of the essential doctrine of ir religion. That is one handicap from which they are suffering if you impose an additional handicap, I am sure you will put m back a great deal. Besides this, the Bengali literature—I know y little about it and I do not wish to speak one word in disparagement it—I do say does not contain such educative juvenile literature as English literature does. (Question.) I am sure it does not. Those have followed the growth of juvenile literature in English will e with me that it would be the greatest pity to deprive young boys he benefit of that literature. Anyhow for us, Muhammadans, the glish juvenile literature is the better means of educating our boys. Bengali literature is foreign to the Islamic culture to which we ch the greatest importance, and we cannot allow our boys to imbibe lture which is alien to them and to their history and to their tradi- . That is another very strong ground why we oppose the introduc-

in the newspapers—that there is some difference of opinion about this matter. There can be no important question on which there will be no difference of opinion, but I do say this: all educated Muhammadans—I mean those who have received English education—are practically unanimous on this point and certainly every member of this House who is in the party which I represent here is agreed that it would be very disastrous to the Muhammadan culture if we introduce Bengali as the medium of instruction.

Mr. P. N. GUHA: What does the Shah Sahib say about it?

Sir ABD-UR-RAHIM: He does not belong to our party: he may belong to your party.

This is really a very serious question and I wish to bring this matter to the notice of Government so that they may not take any hasty steps, and if they are not satisfied as to the Muhammadan opinion on this point, they must make careful investigation before they embark upon any such experiment. A change of language is a very serious thing. The present condition of the Muhammadans, their impoverishment—I was going to say their present degradation—is greatly due—at least partly due—to the change of language which was effected sometime back, and I would strongly deprecate any further change being made until the Government is satisfied that Muhammadan public opinion is in favour of it. I say, Muhammadan public opinion, at least the opinion of the educated Muhammadans—of those who understand anything about the subjects—is entirely opposed to this proposal of the Calcutta University.

Mr. PRESIDENT: I have received an application signed by about 30 members requesting me to call the meeting of the Council at 3 P.M. to-morrow. I understand that they have some sort of function to attend to to-morrow.

Adjournment.

The Council was then adjourned till 3 P.M. on Friday, the 19th March, 1926, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

The Council met in the Council Chamber in the Town Hall, Calcutta, on Friday, the 19th March, 1926, at 3 P.M.

Present:

The Hon'ble the President (Kumar SHIB SHEKHARESWAR RAY) in the Chair, the four Hon'ble Members of the Executive Council, and 60 nominated and elected members.

Unstarred Questions

(answers to which were laid on the table).

Subscription raised in Sadar Charitable Dispensaries of the Chittagong Division.

107. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble Member in charge of the Department of Local Self-Government be pleased to state whether any subscriptions have been realised in the Comilla, Chittagong and Noakhali Sadar Charitable Dispensaries under sections 38, 39 and 40 of the Hospital Rules?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to lay on the table a statement showing, dispensary by dispensary, how much money was raised under each section separately?

MEMBER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur of Nadia): (*a*) Yes, under Rules 38 and 40 of the Dispensary Rules.

(*b*)

Name of Dispensary.	Rule 38.	Rule 39.	Rule 40.
	Rs. A. P.	Rs. A. P.	Rs. A. P.
Chittagong General Hospital ..	65 0 0	....	1,090 0 0
Comilla Sadar Hospital	653 0 0	....	....
Noakhali Sadar Hospital	23 0 0	....	59 0 0

Allowances of Members of Bengal Legislative Council.

108. Mr. P. N. CUHA: Will the Hon'ble Member in charge of the Legislative Department be pleased to lay on the table a statement showing the travelling and halting allowances drawn by each member of the Legislative Council from the commencement of the life of the present Council up to 31st December 1925, with the following particulars:—

(*i*) the place from which the member travelled;

(*ii*) the class of the steamer and train he travelled in;

(*iii*) the total amount of money drawn for travelling;

(*iv*) the total amount of money drawn for halting; and

(*v*) details of travelling at the week-end or short adjournment of the business of the Council?

MEMBER in charge of LEGISLATIVE DEPARTMENT (the Hon'ble Sir Hugh Stephenson): (*i*) The information is contained in the reply given to unstarred question No. 12 at the meeting of the Bengal Legislative Council held on the 18th February, 1925.

(*ii*) A statement is laid on the table.

(*iii*) and (*iv*) A statement is laid on the table for the period from 1st August to 31st December, 1925. For the period from 1st January, 1924, to 31st July, 1925, the member is referred to the replies given to unstarred questions Nos. 12 and 84 at the meetings of the Bengal Legislative Council held on the 18th February and 14th August, 1925, respectively.

(*v*) The present rules do not permit of travelling charges for week-ends or short adjournments.

Statement referred to in the reply to unstarred question No. 108 (ii) showing the class in which the members travelled.

Ahamad, Maulvi Asimuddin—One journey in 2nd class, a part journey in 3rd class, and the rest in 1st class.

Ahmed, Maulvi Tayebuddin—First class.

Ali, Maulvi Sayyed Sultan—First class.

Ali, Mr. Altaf—First class.

Bagchi, Babu Romes Chandra—First class.

Baksh, Maulvi Kader—First class.

Banerjee, Babu Satya Kishore—First class.

Barma, Rai Sahib Panchanan, M.B.E.—First class.

Chakravorty, Babu Jogindra Chandra—First class.

Chakravorty, Babu Sudarsan—First class.

Chatterjee, Babu Umes Chandra—Four in inter class and 16 in 3rd class.

Chaudhuri, Maulvi Saiyed Abdur Rob—First class.

Chaudhury, Maulvi Md. Nurul Huq—First class.

Chowdhury, Maulvi Fazlal Karim—First class.

Corcoran, Mr. B. J.—First class.

Das, Dr. Mohini Mohan—First class.

Datta, Babu Akhil Chandra—First class.

Dey, Babu Boroda Prosad—First class.

Doss, Rai Bahadur Pyari Lal, M.B.E.—First class.

Faroqui, Khan Bahadur K. G M.—First class.

Gafur, Maulvi Abdul—First class.

Ghuznavi, Hadji Mr. A. K. Abu Ahmed Khan—First class.

Haq, Khan Bahadur Kazi Zahirul—First class.

Haq, Shah Syed Emdadul—First class.

Hoque, Maulvi Sayedul—First class.

Hossain, Nawab Musharruf, Khan Bahadur—First class.

Huq, Maulvi Ekramul—First class.

Joardar, Maulvi Aftab Hossain—First class.

Khan, Babu Debendra Lal—First class.

Khan, Maulvi Abdur Raschid—First class.

Khan, Maulvi Amanat—First class.

Khan, Maulvi Mahi Uddin—First class.

Lal, Mahammed, Haji—First class.

Mahammad, Maulvi Basar—First class.

Maity, Babu Mahendra Nath—Inter class.

Mitra, Babu Jogendra Nath—First class.

Mukerjea, Babu Taraknath—First class.

Nandy, Maharaj Kumar Sris Chandra—First class.

Nazimuddin, Khaje—First class.

Neogi, Babu Manmohon—Always 1st class by steamer and 2nd class by rail.

Pahlowan, Maulvi Md. Abdul Jubbar—First class.

Quader, Maulvi Abdul—One 3rd, four inter and the rest in 1st class.

Rahman, Mr. A. F.—First class.

Raikat, Mr. Prasanna Deb—First class.

Ray, Babu Abinash Chandra—First class.

Ray, Babu Nagendra Narayan—First class.

Ray Chaudhuri, Mr. K. C.—First class.

Roy, Babu Satcowripati—Five in inter and 10 in 2nd class.

Roy, Raja Maniloll Singh, C.I.E., of Chakdighi—First class.

Roy Choudhuri, Rai Bahadur Satyendra Nath—First class.

Salam, Khan Bahadur Abdus—First class.

Sarkar, Babu Hemanta Kumar—Six in 3rd and 10 in 1st class.

Sarkar, Maulvi Allah Bukhsh—First class.

Sasmal, Mr. B. N.—Three in 2nd and 12 in 1st class.

Tarafdar, Maulvi Rajib Uddin—First class.

Travers, Mr. W. L., C.I.E., O.B.E.—First class.

Yasin, Maulvi Muhammad—Once in 1st and thereafter in 2nd class.

Statement referred to in clauses (iii) and (iv) of unstarred question Nos. 108 showing the amount of mileage and daily allowances drawn by each member of the present Bengal Legislative Council from 1st August to 31st December, 1925.

Name of the member.	Mileage allowance drawn by each member.			Daily allowance drawn by each member.		
	Rs.	A.	P.	Rs.	A.	P.
Ahamad, Maulvi Asimuddin	309	15	0	190	0	0
Ahmed, Maulvi Tayebuddin	302	4	0	190	0	0
Ali, Maulvi Sayyed Sultan	135	8	0	230	0	0
Bagchi, Babu Romes Chandra	294	7	0	170	0	0
Baksh, Maulvi Kader	318	4	0	140	0	0
Banerjee, Babu Satya Kishore	101	8	0	....		
Barma, Rai Sahib Panchanan, M.B.E.	264	0	0	180	0	0
Chakravarti, Babu Jogindra Chandra	257	0	0	160	0	0
Chakravorty, Babu Sudarsan	113	14	0	100	0	0
Chatterjee, Babu Umes Chandra	18	10	0	100	0	0
Chaudhuri, Maulvi Saiyed Abdur Rob	257	11	0	190	0	0
Chaudhury, Maulvi Md. Nurul Huq	468	5	0	890	0	0
Chowdhury, Maulvi Fazlal Karim	233	0	0	190	0	0
Corcoran, Mr. B. J.	187	1	0	70	0	0
Das, Dr. Mohini Mohan	269	8	0	180	0	0
Datta, Babu Akhil Chandra	201	12	0	150	0	0
Dey, Babu Boroda Prosad	131	0	0	....		
Doss, Rai Bahadur Pyari Lal, M.B.E.	134	11	0	100	0	0
Gafur, Maulvi Abdul	292	8	0	200	0	0
Ghuznavi, Hadji Mr. A. K. Abu Ahmed Khan ..	121	11	0	100	0	0
Haq, Khan Bahadur Kazi Zahirul	271	6	0	190	0	0
Hoque, Maulvi Sayedul	356	13	0	150	0	0
Hossain, Nawab Musharruf, Khan Bahadur ..	141	3	0	100	0	0

Name of the member.	Mileage allowance drawn by each member.	Daily allowance drawn by each member.
	Rs. A. P.	Rs. A. P.
Huq, Maulvi Ekramul	134 11 0	190 0 0
Joardar, Maulvi Aftab Hossain	98 0 0	190 0 0
Khan, Babu Debendra Lal	35 0 0	160 0 0
Khan, Maulvi Abdur Rasch[illegible]	80 7 0	10 0 0
Khan, Maulvi Amanat	94 1 0	70 0 0
Khan, Maulvi Mahi Uddin	243 14 0	190 0 0
Lal Mahammed, Haji	233 14 0	190 0 0
Mahammad, Maulvi Basar	264 0 0	190 0 0
Maity, Babu Mahendra Nath	43 8 0	190 0 0
Mitra, Babu Jogendra Nath	43 2 0	90 0 0
Mukerjea, Babu Taraknath	33 0 0	....
Nazimuddin, Khaje	271 6 0	100 0 0
Neogi, Babu Manmohan	191 1 0	180 0 0
Pahlowan, Maulvi Md. Abdul Jubbar	218 1 0	180 0 0
Quader, Maulvi Abdul	76 0 0	190 0 0
Rahman, Mr. A. F.	131 11 0	50 0 0
Raikat, Mr. Prasanna Deb	584 8 0	920 0 0
Ray, Babu Abinash Chandra	157 14 0	200 0 0
Ray, Babu Nagendra Narayan	264 0 0	190 0 6
Ray Chaudhuri, Mr. K. C.	151 15 0	....
Roy, Babu Satcowripati	113 7 0	100 0 0
Roy, Mr. S. N.	....	70 0 0
Roy, Raja Manilall Singh, C.I.E., of Chakdighi ..	24 10 0	100 0 0
Roy Choudhuri, Rai Bahadur Satyendra Nath ..	281 8 0	190 0 0
Sarkar, Babu Hemanta Kumar	85 12 0	190 0 0
Sarkar, Maulvi Allah Bukhsh	134 11 0	100 0 0
Sasmal, Mr. B. N.	*265 13 0	*490 0 0
Tarafdar, Maulvi Rajib Uddin	273 2 0	190 0 0
Travers, Mr. W. L., C.I.E., O.B.E.	157 12 0	70 0 0
Yasin, Maulvi Muhammad	70 11 0	220 0 0

* This sum represents the whole amount drawn by the member from January, 1924, to 31st December, 1925, and his headquarters are Midnapore.

GOVERNMENT BUSINESS.

The Budget of the Government of Bengal for 1926-27.

Demands for Grants.

31—Education.

Dr. H. W. B. MORENO: We heard yesterday, Sir Abd-ur-Rahim's great speech on the Calcutta University, unfortunately, however, Sir Abd-ur-Rahim is not with us here this afternoon. While he was very keen about condemning communalism as found in the Calcutta University, I regret to say that the whole of his speech was just saturated with communalism, so that one begins to wonder whether he was speaking in the interests of higher education in Bengal, or of his own community in

particular. He condemned the whole University because there were not any special arrangements made for the study of Arabic and for Islamic culture. He disregarded altogether the valuable work done in the University with regard to the Arts and Sciences. He had not a word to say about the training in Philosophy, History, and in all the ancient arts and modern sciences; he concentrated his whole attention upon the one question of Islamic culture; and because, forsooth, the University had no proper arrangements for that, he condemned the Calcutta University *in toto*. That, it seems to me, is a very narrow view to take of things. If Sir Abd-ur-Rahim feels that there is a real need for Islamic culture in the Calcutta University my best advice to him is to follow the great patriots of the land and endow a Chair for Islamic culture in the Calcutta University, as other great men in Bengal have endowed for other branches of learning. That, I think, is within the possibility of Sir Abd-ur-Rahim, and it would carry his name down to posterity as a great man and a great friend of Bengal.

Then, Sir, he condemned in rather strong terms the whole of the education as now given to our graduates and said that a B.A. or an M.A. of the Calcutta University was "good for nothing." He then went on to say that the B.A.'s and M.A.'s of other Presidencies had done very well in the Indian Civil Service examination now held in India, as compared with those of the Calcutta University graduates who, he said, had shown up very badly in Europe, in its centres of learning. I would point out to Sir Abd-ur-Rahim, who is now present here in the House, that there are many distinguished graduates of the Calcutta University who are well able to measure swords with some of the best *savants* of the West; I allude to Sir Jagadish Chandra Bose, Sir P. C. Roy and a host of others; I may also point to Sir Abd-ur-Rahim as one of the great *alumni* of the Calcutta University, and I would point to you, Sir, as a member of the Calcutta University, who has so ably filled the Chair as the President of this Council and has upheld the highest traditions of this House.

Then Sir Abd-ur-Rahim pointed to the number of Matriculates in the Calcutta University and said that there was a heavy rush like fish towards the net to secure a pass in the Matriculation examination. Well, Sir, the fault is not with the University itself. If there is this real desire among the young people to go in for this examination, the fault lies with themselves, and with their parents, and not with the University. The University has laid down a standard for entrance into the higher degrees; and if people think it proper to give up all other avenues, and like fish seek this one opening, the fault is theirs and not that of the University. In this connection I may point out to one very hopeful feature. Last year the number of Matriculation examinees was, I understand 19,000—I speak subject to correction on this point—this year there has been a serious drop to about 16,000. This shows that most of our young men are now beginning to realise

that if they wish to take up a vocation in life they must begin early, and must not divert into the one channel of the Matriculation examination. If that be the growing desire of the people I feel sure that things will soon come to normal conditions.

Then again, Sir, on the question of the want of management, the want of proper training, in the University alluded to by Sir Abd-ur-Rahim, I should like to point out to him that as Education Member of the Government it was his duty to have done his best, when he was in office, and not to stand and condemn things now. I take it that as a Fellow of the Calcutta University, if he feels that there is something wrong in the management of the University, his right and proper course is to place these matters before the University itself in order to have them rectified there. Most of the faults he points out in this Council are faults which can be rectified from within; and if Sir Abd-ur-Rahim still takes a great interest in the working of the University he can set his heart and hand to get things put right in the University itself instead of standing outside and throwing brick-bats at his *alma mater*, knowing full well that she cannot retaliate.

There is one particular point that Sir Abd-ur-Rahim raised and which deserves very careful attention. It is the vexed question of the vernaculars as a medium of instruction and examination for the Matriculation examination. Now, Sir, speaking as an educationist of some years standing I can say with a great deal of confidence that instruction in the vernaculars in the lower classes is a very great desideratum. I have always found that among the younger people teaching them in their vernacular in all branches, except English, is far more helpful to the young student than to thrust all these things down the throat of the pupil in a foreign language, but I realise that for the higher classes education should be given through the medium of English. In that I know I differ slightly from others; my reason for asking that in the higher classes English should be the medium of instruction is this, that as things are we find that our graduates have not that masterly control over English as those who have English as their mother-tongue; if we seriously neglect young students and begin to teach English too late in the higher classes, there might not be sufficient time for them to get an efficient control and possess a real facility over the language. I do then think that in one or two classes before the Matriculation class, it would be advisable to have English as the medium of instruction for all subjects; but this is a small matter which concerns the University itself, and I know the University has not yet come to a hard-and-fast conclusion on the subject. Even if it has, it is surely open to conviction, and things may be rediscussed in the Senate and the Syndicate. Here is an opportunity for Sir Abd-ur-Rahim to go to the University itself and lay his case before the members; I am sure if he does so, he will be successful; but to maintain that the whole of Muhammadan welfare in Bengal will be jeopardised

by this medium of instruction in the Bengali vernacular, is to make a very sweeping statement indeed and calls for serious comment. Sir Abd-ur-Rahim in adopting an attitude of that kind certainly gives some impetus to that racial feeling which is growing in Bengal between Hindus and Muhammadans and which every true lover of Bengal should deprecate. I think in all these matters a little compromise, a little give and take, will ease the situation far more than by uselessly accentuating our differences. We want more of harmony and less of this jarring discord, now so much on the lips of our politicians in Bengal.

I congratulate Sir Abd-ur-Rahim on his wonderful change from an Hon'ble Member of the Government to that of a Leader of a certain section of this House; he is a quick-change artist and requires very careful handling in all these changes; still I look to him as a very distinguished *alumnus* of the Calcutta University, of which I am a very humble one. We have our duties to perform by our *alma mater*, and if we find that the old University has gone wrong, if we see the chariot is not going evenly, it is our duty to put things right, to put our shoulders to the wheel and not stand outside and denounce things with our hoarse cries of criticism.

I take, Sir, a fairly impartial view of the situation because I am neither bound up with Hindu sentiment nor with Muhammadan sentiment, yet I owe allegiance to India as a "son of the soil". I therefore trust Sir Abd-ur-Rahim will take my remarks as coming from one who is genuinely interested in the welfare of the University and who will see that no communal differences are admitted to cloud our vision, and prevent things being seen in the calm and dispassionate light of reason. I think, therefore, that Sir Abd-ur-Rahim would be well advised not to press his motion in this House against his *alma mater*, but give her first every chance of getting things put right.

Babu SURENDRA NATH RAY: In the absence of the member who represents the graduates of the Calcutta University and in the absence of another member who is member of the Syndicate and also a Professor in the Post-Graduate Department of the Calcutta University I think it proper to say a few words with reference to this motion. I am very sorry to see that Sir Abd-ur-Rahim who held the highest position in the Judicial Service and as such had to weigh evidence and facts should have been guilty of making incorrect statements. I have inquired and have come to know that the University has proper arrangements, for the study of Arabic and Persian literature. Sir Abd-ur-Rahim will probably be surprised to hear that there are only four Muhammadan students in Arabic and Persian who are students in the Post-Graduate Department of the Calcutta University and there are eight professors to teach these four students. The University spends Rs. 2,000 per month for Arabic and Persian study for these four students. Sir Abd-ur-Rahim can very well verify

whether these are facts or not. Then there is another fact to be mentioned. I may inform the members that whereas the members of the Syndicate of the Calcutta University tried to reduce the cost of every other branch of study they did not try to retrench so far as the study of Arabic and Persian is concerned.

Then, Sir, he has also said about the quality of secondary education. I here see that Sir Hugh Stephenson, Mr. Donald and myself are the only three members left of the old Council of the pre-Reform days. It was in the year 1915 that I wanted to move a resolution on the appointment of a Board of Secondary Education but I could not do it and a Muhammadan gentleman was responsible for it. My friends, the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri and Mr. Fazl-ul Huq came to my house on the day before the sitting of the Council to see me, it is no secret everyone knows it, and asked me to postpone moving the resolution if not to withdraw it. I told them: "Well, I must consult the then Member of the Executive Council in charge of the Department of Education but I would for the present postpone moving the resolution".

The next morning I met the Hon'ble Member in charge of the Department of Education and we had a conference.

Dr. H. W. B. MORENO: On a point of order, Sir. Is the hon'ble member entitled to refer to a matter the subject of which is entirely outside the purview of this Council.

Mr. PRESIDENT: Perhaps he is developing his point.

Babu SURENDRA NATH RAY: Finally, it was settled that I should move my resolution. I wanted to move my resolution in the Bengal Council on the 19th January, 1915, which was as follows:—

This Council recommends to the Governor in Council that an Advisory Board (to consist of official and non-official members) be formed for the purpose of advising Government in matters connected with primary and secondary education in this Presidency.

I was sorry to find that there was some misapprehension in the minds of some of the Muhammadan members of the Council as regards my resolution. I did not like at the time to move a resolution which might have the effect of hampering the Government.

Mr. PRESIDENT: Just give us a gist of your speech; you need not read all of it.

Babu SURENDRA NATH RAY: There was an amendment to my resolution moved by the Hon'ble Nawab Bahadur Saiyid Nawab Ali Chaudhuri, Khan Bahadur, to the effect that the Board should consist of officials and non-officials, on which the Hindu and Muhammadan communities shall be equally represented. The Hon'ble Chaudhuri Muhammad Ismail Khan wanted to move an amendment that the Board should

consist of officials and non-officials of whom the majority should be Muhammadans. Out of sheer disgust at the attitude of some of my Muhammadan friends, I withdraw my resolution. But I waited and again in 1917 when Sir S. P. Sinha was the Member in charge of Education I moved the resolution. Government opposed it; there were seven of us who were for the resolution and about 30 opposed it except Maulvi Abul Kasem all the other Muhammadans opposed it. So that it was the combined alliance of the Muhammadans and the Government which was responsible for the loss of my resolution. It cannot be said that the non-official Hindu members of this Council were ever opposed to the establishment of such a Board. This is ancient history, but as very few members of this Council remember the facts or know the facts I have thought it proper to give them to you.

I have nothing more to say.

Khan Bahadur KAZI ZAHIRUL HAQ: Mr. President, one of my sad experiences in this Council Chamber and outside has been that whenever my unfortunate community tries to assert its just claims, in whatever sphere it may be, a hue and cry is at once raised that the Mussalmans are really wanting in efficiency and are inferior in quality and only clamour by making it a communal case; and when an earnest attempt is made by them to remove these supposed disqualifications they find themselves confronted with a strong barrier set up with a subtle ingenuity in which, I admit, they can never surpass.

The new scheme of education on the Bengali vernacular basis is unsuitable and unacceptable to the Mussalmans on various considerations and is bound to be a great bar to their future progress as Mussalmans. In the first place it will make the standard of English education still lower than what has already been effected by the short-sighted policy of the University to increase the number of passes among the candidates to serve a temporary purpose. English is the only medium for us Indians for the cultivation of the various sciences without which no nation can advance in the path of real progress. It is also the *lingua franca* which has made an exchange of thought among the various tribes and races living in India and their cordial *rapprochement* possible. In the second place though Bengali is the mother-tongue of the majority of the Mussalmans of Bengal it is not the Bengali which forms the literature. The Bengali which the Mussalmans speak is full of Mussalman ideals which serve to remind them of their traditions and to preserve their separate identity, while on the contrary the Bengali literature is replete with Hindu ideals and invariably attempts in hundred and one ways to depict the Moslem character most unfavourably and represent them almost as barbarians. This the Moslem cannot allow their children to digest. Religion forms their life-blood. Their nationality is extra-territorial. The

bond of Islam is the strongest and truest bond for them; they consider and rightly consider that the light of Islam is the true civilisation for them. The proposal for the introduction of Bengali as the medium of instruction and in fact to make it the principal vehicle of education is obviously intended to pave the way for the consummation of the ideal of the merging or to speak more correctly, the subordination of the Moslem to the Hindus. This can never be and shall never be. They are always ready to receive their fellow-countrymen on terms of equality as citezens. Their traditions and their religion teach them to do so. But as long as they are Moslems, they must keep up their separate identity.

As regards the manner in which things are managed in the Calcutta University, I should like to confine myself to one general remark. As there is a process of slow poisoning, so there is also a subtle way of tyranny born out of petty spite, which only those who suffer from it can feel. Any one visiting the University will hardly be able to know whether there is such a community as the Moslems living in Bengal. It is the close preserve of our blessed fellow-countrymen, and woe be to those who dare raise a finger of protest. Do not the Moslems pay their share of the revenues of the University? Are not the revenues of Bengal out of which a substantial contribution is made to it, equally raised from the Moslems? Why then this differentiation, this usurpation of rights and this unjustifiable monopoly? Should this state of things be allowed to continue, and should this broad-daylight oppression go on to be committed with impunity and looked on with impotence? Let us wait and see.

Mr. P. N. GUHA: Sir, I do not stand here to advocate the cause of Calcutta University because there are persons more qualified who will do it. I want to remove misapprehension on two particular points. Sir Abd-ur-Rahim's speech and subsequently the speech of Khan Bahadur show that they are making a grievance of the fact that the Calcutta University is being run to serve the interest of the Hindus, probably it is, but can Sir Abd-ur-Rahim and the other members of the Moslem community tell me why it is so? We all know that the Calcutta University was established in 1857. Since then, if you look through the pages of the calendar, you will find there are over 100 Hindu endowments to the Calcutta University but with a good deal of diligence you will probably not find a single Muhammadan endowment. Sir Tarak Nath Palit, Sir Rash Behari Ghosh, Prem Chand Ray Chand, Maharaja of Durbhanga, Maharaja of Cossimbazar and several others have endowed the University. Other Hindus have given good many scholarships and prizes by spending their hard-earned money but the Mussalmans were conspicuously absent in these directions and they had absolutely no activities. If in that case the University had been run by the Hindus and if it had been looking entirely to

the preservation of the interest of the Hindus, was there anything wrong in it? I do not for a moment oppose the claim of Sir Abd-ur-Rahim or for the matter of that any Mussalman, that Mussalman interest should be safeguarded, but it will not do to forget that they have begun to take interest in University matters only recently. That the situation should be improved, I entirely agree, but no grievance should be made of the fact that the University had so long been run only to safeguard the interest of the Hindus alone specially in view of the fact that there was none to point out the interest of Mussalmans. How can the Hindus be blamed for running the University according to their own interest when there was absolutely no Mussalman to put forward the claims of his community or to show his side of the question? Well, Sir, that is with regard to the University.

Then with regard to secondary education, I understand that there are about a thousand high schools in the province but how many of them have been founded by the Mussalmans? Not even one eighth per cent. I think. These institutions, almost in every district, have been started by Hindus, financed by Hindus and managed by Hindus. Can you hold the Hindus guilty if they had been running these institutions in their own interest? What I want to protest against is the insinuation that the interests of the Mussalmans were deliberately overlooked in the matter of the secondary education. I quite admit that Muhammadan claims should be recognised, but Sir Abd-ur-Rahim should not make it a point of grievance. All that he can do is to come forward and say that the claims of the Muhammadans, who are now available in larger numbers, should be recognised. I am sure it will be done and as my friend Mr. Surendra Nath Ray has pointed out, the Calcutta University has already made sufficient provision for teaching the Islamic languages and culture. An ex-Principal of the Presidency College told me half an hour ago that three teachers for teaching Sanskrit in his college had to manage 400 students but the same number of teachers for Arabic and Persian had only eight students! You cannot say that your interest has been neglected throughout. If the Hindus had not seen the matter in the light that you wanted them to see, it was not their fault. Therefore this should not be made a communal grievance. You have been conspicuously absent, and now that you have come, I am sure the Hindus or any other person interested in high education, will look to your interest but why go on blaming the Hindus because they have not looked to your interest when there was none to present your side of the case to them?

Then with regard to the vernacular as the medium for the Matriculation examination, I have my own opinion about this but I am not going to express it here; Sir Abd-ur-Rahim is thoroughly familiar with it. Readers of newspapers might have noticed the resolution of the Senate in the *Statesman* of this morning regarding the vernacular medium of education in high schools. What the University wants is

that if the managing committee of a school with the full approval and consent of half the number of guardians of students think that Bengali should be the medium of instruction in that school, the Calcutta University will recognise it. Sir Abd-ur-Rahim, when I mentioned this point to him, told me that his community would always be in a minority. If that is so, how can you compel the majority to suffer? How can you compel the majority to do what the minority wants? If the managing committee of a school or half the number of guardians of pupils want that their boys should be taught through the medium of the Bengali language, you cannot compel them and say "no, you must not do that", because Bengali is not the mother-tongue of half a dozen boys who are reading in that school. That would be nothing but a tyranny of minority. I really cannot ask the people of my community to submit to this tyranny of the minority simply because there are half a dozen boys in a school who do not speak Bengali.

I have every sympathy with the argument which Sir Abd-ur-Rahim has advanced to safeguard the interests of the Mussalmans. Certainly we ought to look to the interest of the Muhammadan community, but it is quite unfair to say that the Hindus were overlooking the interest of the Mussalmans intentionally. You were never there, you never took any interest in it, for half a century during which the Hindus have been running the University. Now if you are there and if you can show the justice of your claim, I am sure it will be responded to. Sir Abd-ur-Rahim's speech—not only here but the speech he delivered elsewhere—has created the impression that Calcutta University was going to force the vernacular as the medium of instruction in high schools; in fact it is not so.

The Calcutta University have made it distinctly clear that their aim was to vernacularise the curriculum, and it is natural, because the majority of the members of the Senate and the Syndicate are persons who speak Bengali and like Bengali. You cannot blame them for that, but even then they have not made it absolutely compulsory and given the schools sufficient option in the matter. Schools may or may not adopt it——

Maulvi EKRAMUL HUQ: What is the remedy?

Mr. P. N. GUHA: That is not for me to suggest, but we cannot compel the Government to stop their grant to the Calcutta University simply because it does not look to the interests of half a dozen boys in a school. What is the remedy? If you could suggest a possible one, then we could probably have obtained Swaraj long ago. The question of remedy is a thorny problem, no one can solve it at once, but my Mussalman friends should not make a communal grievance of every matter that comes in their way. It is not the proper way to attain Swaraj. Come out, and discuss the matter openly but do not

say that we are always to blame. Our forefathers who began work for the Calcutta University had no intention of ignoring the claims of our Mussalman friends. The intellectual giant who has practically built the Calcutta University in the past—I mean the late Sir Ashutosh Mookherji—did all that he could to serve the Muhammadan interest. Everybody knows that he had the highest admiration for Islamic culture and studies, but probably that even is not considered adequate by our Mussalman brethren! Sir Abd-ur-Rahim has, for sometimes past, been taking an amount of interest in the high education of the Mussalmans but was there any Muhammadan before him who did take any interest in University education? So far as my experience goes, the Deputy President of this Council was the only person who was going about the Senate House for some years past.

I do not in any way deprecate the claims of the Mussalmans. What I want to say is that it is not right to make a grievance of every case. Do not blame us. Do not accuse us that we have been doing these things intentionally. We never had such a bad intention. We have been doing things honestly. Let us, however, join hands and see whether we can work out the reforms. I am sorry that Sir Abd-ur-Rahim's pronouncement of yesterday and of previous occasions, have been directed to create an impression that the Hindus of Bengal were treating the Mussalmans in a most uncharitable way. That is not true. And the impression he has been trying to make that the Calcutta University was determined to introduce a particular Hindu medium for instruction was not true. The Calcutta University is not doing anything of the kind. They have to subordinate themselves to the will of the majority and they cannot do anything to force the will of the minority upon the majority. With these few remarks I strongly oppose the motion.

Mr. F. E. JAMES: The subject under discussion seems to be disturbing to all who are concerned with the well-being of education in this province. It is a very difficult and delicate matter for a member of another community to speak on the question which Sir Abd-ur-Rahim has raised in connection with vernacular instruction. All I want to say is this, that it does seem to me that his fears in that respect are somewhat exaggerated. There is not one of us who does not sympathise with his desire to preserve the cultural traditions of his community and to encourage the pursuit of Islamic learning among his young men. But it does not appear to me that the position is quite as alarming as it is described by him, especially in view of the fact that the proposals of the Calcutta University in regard to the medium of instruction contain sufficient safeguards, as has been already pointed out by Mr. P. N. Guha, which should enable the Muhammadan members of this province to regard the innovations proposed with more equanimity than they appear to do. The other point

that I want to speak about is the one which Sir Abd-ur-Rahim has raised in regard to the relationship between the University and secondary education. It is a curious thing that so far as my experience in this Council goes, during the last three years, we never seem to discuss question of education as a whole. We either concentrate upon University education or upon primary education, forgetting the tremendous need there is in the matter of secondary education. He ought to regard the problem as a whole, from primary through secondary on to University education. In connection with this I entirely agree with Sir Abd-ur-Rahim on the necessity for the creation of a Board which shall control all secondary education. In our desire for the extension of primary education and in our preoccupation with University education, we very often entirely neglect that most important middle portion of education which we call secondary education. It is certainly important because secondary education ought to be, and is, in most countries, the education of the adolescent, while primary education is the preparatory education of the child. I wanted to know, before this Council meeting, what proportion of the primary school children pass on to secondary schools and what proportion of secondary school children pass on to University high education. I was told by Mr. Oaten that, as a matter of fact, while most of those who are educated in the primary section of the high schools pass on to the higher section of those schools, only a very small percentage of those who go to primary schools ever get into the secondary institutions. In other words we are in the position which has been described aptly—that our primary education is rather like a landing without a staircase, while our secondary education is like a staircase without a landing.

Now, Sir, with regard to this Board, the reason why I feel that the creation of a Board of this description is enormously important is because both the curriculum and the aim of secondary education demand some central controlling body. The curriculum of secondary education assumes in the first place that the spade work has already been accomplished and that the pupils in these schools have already been introduced, in outline at any rate, to the subjects which are going to interest them as adults. The aim of education in that stage is to develop the faculties of children and to build up their interests in subjects which will have the value of extending their utility in a particular vocation. We find that the children in the secondary school stage begin to become conscious of their new powers and desire to come into contact with the realities of life—the real interests of life. Therefore this period is extremely important. There is another reason why it is necessary that these schools should be brought under one central authority. It is this, that in all real secondary education there should be a great variety of types which, while they do not sacrifice the general principle of supplying a general good education,

yet should develop here an industrial bias, there a rural bias, and so on. Secondary education is useless unless it contains an immense variety of types. Now, the position in Bengal, in regard to secondary education, seems to me, from this point of view, to be extremely unsatisfactory. I find from the report of 1924 that there are 3,52,000 pupils in secondary schools and there are nearly 2,500 secondary schools in the province; 900 of these schools are directly under University control; and I understand from the report that the schools under University control are badly equipped in the matter of equipment and premises, and their staffs are badly paid. I find, under the head of expenditure in regard to Education, excluding direction and inspection and also special schools, that 45 per cent., of the expenditure is spent on secondary education, 35 per cent. on University and higher education, and 20 per cent., on primary education. Of this 45 per cent. upon secondary education I find that, according to the figures, 74 per cent. is spent on high schools which are under the direct administration of the University. Therefore, it seems that these figures and also the principles I have laid down, call for a definite move in the direction of the establishment of a Board of Control. On this Board of Control there should be a variety of interests represented, because it will control a variety of types of schools. Under the secondary school system, you must have a variety of interests represented on your Board of education. I understand, Sir, that the matter is shortly going to be discussed by the University authorities and the Government representatives. I trust that this Council will say in no uncertain voice that they desire the establishment of this Board to take place. There are bound to be objections to it, there is bound to be opposition—very strong opposition—from the vested interests of the University. It is quite natural and I do not blame them. But one does hope that the wider interests of education will prevail and that those, who discuss these matters, will try to look upon the problem of education in the province—not Heaven forbid, as a communal one, but as a general one in which after all the people of the province are deeply concerned and on which the progress of education in the province in all directions of life very largely depends.

Maulvi EKRAMUL HUQ: Sir, the House expects that when the legitimate grievances of a particular class or community is brought to the notice of a body which receives funds in aid, it is the duty of that body to see that these grievances are remedied and it is also the duty of Government to see that the legitimate grievances are actually removed. But so far as the Calcutta University is concerned most of the members of this House, the Muhammadan members in particular, have off and on criticised the administration of the University and last year I had the misfortune of drawing the attention of the House to to the legitimate grievances of my co-religionists, but to no purpose.

Yet we should persist in knocking at the door of the University for we hope that there may yet be some one who will wake up from his slumber and take us in. Many of us in the Council despair of any success. They think that whatever they might do in this connection and in whatever way they might bring up the grievances of the commutiny before the University authorities of the Government no one would care for it. It was in this connection that my hon'ble friend Khan Bahadur Zahirul Haq described the working of the University in such a gloomy manner that it could be taken that he was referring to what many Muhammadans say that the Calcutta University is a Hindu University or rather worse than that because it does not bear that name. But we should not despair of our success and should knock and knock hard and we must see that the door of the University is fully opened to us.

Sir, if we look at the different departments of the University which spends about Rs. 25 lakhs every year, what do we find? Take, for instance, the Registration Department. This department spends about a lakh of rupees every year, but there is not a single Muhammadan in that department. There might be orderlies and duftries here and there. Further, if you take another department, the Controller's Department; the same story is repeated. Go to yet another, the Press Department, you find the same story over again. How is this? I am afraid Muhammadans have by now, much to the chagrin of those who would like to see Muhammadans put down for ever, come forward to take their proper place, and no one at the present moment can say that Muhammadans are not able to hold their own with their Hindu brethren. Wherever you go, in every walk of life where you would like to have Muhammadans, you would find qualified Muhammadans not one but many, and that being so, there is absolutely no reason why the University should shut them out. Mr. Guha said: "It is your own fault; you have not taken to education earlier". That is an argument which will not hold good now; that argument ceased to exist 10 years ago. But, Sir, all persons are not like Mr. Guha. They do not possess the same mentality as Mr. Guha, and it is at least to this to some extent that we owe the paucity of Muhammadans in the various departments of the University. What we want is that the University should wake up from its slumber, and the persons at the helm of affairs of the University should see to it that it is not at all fair to overlook the claims of a particular community, not because the community is not qualified, but when they find that this community is actually qualified and can actually do the work, there is absolutely no justification for keeping Muhammadans out. I understand the present Vice-Chancellor is favourably inclined towards the Muhammadans; simply inclination is of no value to us; all we expect is that his sympathies should be translated into action.

Leaving aside this, and taking the Post-Graduate Department, I would like to make my position clear regarding this department. I am one of those who are not at all in favour of such a department as this, for it is after all a fraud practiced upon the people, for the people get very little from such a department like this. You spend a large amount of money over a few persons; what advantage do you derive from that? Do they give back to the country any economic gain: of what use are they to the people at large? There is, of course, one use and that is this: you employ a few Indians to posts with high emoluments; I am afraid, Sir, as far as this matter is concerned our foreign bureaucrats have been led by the nose by our Indian bureaucrats whose object is not to do any good to the people at large but to benefit only a few individuals.

Here in this Council the other day, the Hon'ble Mr. Donald was pleased to say that they had been neglecting primary education and doing rather more for higher education. I do not say that they have been doing very much for higher education, but this is absolutely certain that Government has neglected primary education completely. Primary education will actually bring good to the people of the country. Leaving this aside, when discussing this question from the point of view of Muhammadan employment, take all the departments of the post-graduate classes, what do we find? So far as teachers are concerned only one or two Muhammadans are employed, leaving aside a few teachers in the Arabic and Persian classes, and these professors or teachers get only a little more than Rs. 500 a month. While professors in other departments where there are two or three students, such as Pali, get more—Rs. 1,000 a month. I understand in many other departments also there are not more than one or two students, but a large sum of money is mis-spent on these. What is the good of such extravagance, what is the advantage to the country? None, whatsoever. If you have not the courage to close down this department, be just to the Muhammadans in that case. I think, Sir, Government should see that in these departments a larger number of Muhammadans are taken in.

Now, Sir, a large number of examiners are appointed by the University; how many Muhammadans are there? Only a sprinkling of them. What is that due to? You cannot say or are justified in saying that Muhammadans are not up to the mark. You cannot say that Muhammadans cannot be trusted, they are not capable; that charge has ceased to exist many years ago. If you want to be fair, it is your duty to see that Muhammadans do come in in these departments.

Then there is the Tabulating Department. What do we find there; no Muhammadans absolutely in those places. Well, is there any justification for that and should the Government keep quiet over the

matter and should not they insist that the University should pay particular attention to this?

I should like to say a few words about what has been said in this House. My friend Mr. Guha has said Muhammadans have been backward in education; he referred to the various endowments made by members of the Hindu community. This has been retorted to by my friend Nawab Musharruf Hossain who has said that it was the money of Moslems. We need not fight over it, but you should remember that the first person who endowed your University, and who did the greatest good both to the Hindus and the Muhammadans was no one else but a Muhammadan, Haji Muhammad Mohsin. Hindus and Muhammadans both drew upon his friends in the beginning. I think Hindus should be very proud to help the University and particularly help Muhammadans in the matter of education. Well, Sir, the Hindus would be committing a political blunder if they do not come forward to give Muhammadans more opportunities to become their equals, for it is only when Muhammadans and Hindus have sat side by side in the matter of education, when they can believe each other, when they can have confidence in each other, that you can expect the regeneration of this country. So long as that goal is not reached, so long as Hindus and Muhammadans cannot confine in each other, you cannot expect Swaraj or self-government which is the goal of every politically-minded gentleman of Bengal.

Sir, it is further said that of the many schools that have been founded in the province, Hindus have done everything; Muhammadans have done nothing. Mr. Guha should be disillusioned because Muhammadans have helped the Hindus in every way in this matter by giving substantial help, co-operation, and in many places where schools have been founded, it is the Muhammadans who are approached to give their quota, and they have been giving their quota in the shape of money in addition to the rents paid to the zemindars. So you cannot say that Muhammadans have not done anything.

As regards the medium of instruction, I do not want to say any thing at all about the majority or minority. This is a time when Muhammadans have not generally been very forward in education, and particularly in English education. If you force the medium of Bengali instruction, the result will be that Muhammadans will be handicapped. They will have to read Sanskrit and other books in order to get a good knowledge of Bengali; but they will have to neglect English education, and if they neglect English education, they will not be in a position to take up proper places in the administration of their country. As my friends have said this is a matter for discussion but this discussion may be delayed for some years when you will find Muhammadans quite able to come forward and agree to an arrangement to be made between Hindus and Muhammadans as to the medium

of instruction. It is not at all right that Muhammadans should be penalised over this matter. This matter should not be hastened, as Muhammadans opinion is divided, some being in favour of Bengali as the medium of instruction and some against it.

With these words I support this motion.

(At this stage the Council was adjourned for 10 minutes.)

(After the adjournment.)

Mr. S. C. MUKERJI: Sir, I do not regret Sir Abd-ur-Rahim's advocating the cause of his community. What I regret that the two speeches which were delivered during the last two days have left an impression on all of us that his outlook is narrow—extra-parochial and ultra-communal. That is the regrettable feature in Sir Abd-ur-Rahim's speech. He has brought a number of charges against the Calcutta University. The first that it is run unwisely. I ask Sir Abd-ur-Rahim in all seriousness is there any department which is under the purview of the Bengal Legislative Council which is run ideally wisely? Sir Abd-ur-Rahim finds fault with the low standard of the Calcutta University. But Sir Abd-ur-Rahim ought to feel thankful that because the standard has been so very low it has been possible for a large number of Muhammadan graduates to come into the field. Sir Abd-ur-Rahim wants a Secondary Board of Education. Well, Sir, we all want it as well. But we want to be sure of one thing that we hope that it will not be run by lawyers only. People who are lawyers during the day become educational experts in the evening—people who discuss big legal problems in the High Court of Calcutta turn to be great educational experts and great educational advocates in the afternoon. That is the thing we want to take care of. Sir Abd-ur-Rahim is dead against making Bengali as a medium of instruction. But let me tell him from my experience of 30 years' close touch with education that the sooner our boys are relieved of being taught every subject in English the better for our boys. You have not the least idea of the amount of strain that is put on our boys by making it compulsory that they must learn everything through English and the result is that they do not devote that amount of time to English which they devote to the cramming of other subjects in English. If you wish to see your boys and your girls speaking good English the only remedy is what we do is to place our boys and girls in the hands of English ladies at a very early age.

(Here the member resumed his seat.)

MEMBER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. J. Donald): There is very little time left and the guillotine will be on me unless I am brief. This has been a most interesting discussion and it has confirmed what I said when introducing the Budget that a discussion on departmental heads is far better than a

roaming discussion or a general discussion on every subject. This motion is put forward as a censure on the University. And I take it that what the hon'ble member really desires to know is the attitude of Government towards the misconduct—shall I so call it—of the University, so far as it has been set out by Sir Abd-ur-Rahim and his friends.

There are three things: The first is the question of Arabic and Persian; the second that of the Matriculation regulations; and the third is the Secondary Board of Education.

Now of these questions we have to some extent already settled one. A Professorship in Arabic and Persian has already met with the approval of Government. But it was a bit late for the last Budget. I will not prophesy what its fate will be when the next Budget comes along. As I have said before, that is not a matter on which even as Finance Member I could make any definite statement.

As to the Matriculation regulations, it is, I think, well known that this subject is before the Government and that we have before us certain proposals from the University. We have heard a good deal on the merits of the proposals from both sides, Hindus and Muhammadans, but I would like to remind those who have spoken of what His Excellency said at Convocation the other day. He referred to the handicap of students being taught in a foreign language but he also drew attention to the difficulties of applying a general principle of this kind to all cases. He said:

> The interests of the large minority of Urdu-speaking Muhammadans in Bengal itself are equally entitled to consideration. We must not forget that even if the number of Moslems in Bengal, whose mother-tongue is Urdu, is small, they will have the sympathy of millions if their interest are not adequately safeguarded.

In considering these Matriculation regulations we shall certainly take care that the interests of Muhammadans are safeguarded, and if the particular proviso which is intended to meet the case of special schools deserving exemption from the general rule regarding vernacular teaching, which members may have seen in this morning's paper, is carried into effect, it would safeguard the Muhammadan community, as Sir Abd-ur-Rahim desires. But we are still considering the question. We are discussing it and we have not come to any definite conclusions as yet. What has been said to-day will be helpful to us in our deliberations. I gather that the main difficulty really is a question of English education. It is feared that the standard of English education will deteriorate and that not only the Muhammadan community but every community will suffer by that. I can say this, however, then that whatever regulations be eventually agreed upon and whenever they may be applied, our consent to these regulations will be conditional on our being satisfied that they will be accompanied by other changes which will, in our opinion, have the effect of raising adequately

the standard of English. I think that goes a good way to meet the point of Sir Abd-ur-Rahim. But as I have said this matter is still under consideration.

The other point is about the Secondary Board. Babu Surendra Nath Ray, in reference to this, was relating ancient history and he was talking about an Advisory Board, which is really not what is now contemplated. In regard to his remarks the Nawab Bahadur I will only say this that times have changed considerably since 1915 and I should not be surprised if now the Nawab Bahadur could say ditto to what Sir Abd-ur-Rahim has said. This, Sir, again, is a subject which we are discussing with the University. It is a very difficult subject; it is a matter which has been under discussion on for many years. But when our proposals are framed, they will have to come before the Council in the shape of legislation, and the Council will then have a full opportunity of dealing with the subject. Sir, my time is up, but in the face of what I have said I think I might well ask the hon'ble mover to withdraw his motion.

Sir ABD-UR-RAHIM: After the statement of the Hon'ble Member I do not desire to press my motion.

The motion of Sir Abd-ur-Rahim that the demand of Rs. 3,74,128 under the head "31A—Education Grant to the Calcutta University" be reduced by Re. 1, was then, by leave of the Council, withdrawn.

The motion that a sum of Rs. 1,22,76,000 be granted for expenditure under the head "31—Education" was then put and agreed to.

The time-limit under the head "31—Education" having been reached, the following motions were not put:—

Babu HEMANTA KUMAR SARKAR: "That the demand of Rs. 3,50,000 under the head '31A—Education (Reserved A)—University—Grants to Universities—Dacca University—Non-recurring' (page 141, Civil Estimate) be refused."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 7,24,000 under the head '31A—Education (Reserved A)—University—Grants to Universities' (page 141, Civil Estimate) be reduced by Re. 1."

Rai Sahib PANCHANAN BARMA: "That the demand of Rs. 12,48,000 under the head '31A—Education—Government Arts Colleges' (page 143, Civil Estimate) be reduced by Rs. 500."

Dr. PRAMATHANATH BANERJEA and Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 20,23,000 under the head '31C—Education (Reserved A)—Primary—Grants to Local Bodies for Primary Education' (page 148, Civil Estimate) be reduced by Re. 1."

Babu TARAKNATH MUKERJEA: "That the demand of Rs. 24,15,000 under the head '31C—Primary Education' (page 148, Civil Estimate) be reduced by Re. 1."

Babu HEMANTA KUMAR SARKAR: "That the demand of Rs. 3,85,000 under the head '31D—Education (Reserved A)—Special—Guru-Training Schools' (page 150, Civil Estimate) be refused."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 63,000 under the head '31D—Education (Reserved A)—Special—Commercial Institute' (page 152, Civil Estimate) be reduced by Re. 1."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 11,82,000 under the head '31E—Education (Reserved A)—Inspection' (page 156, Civil Estimate) be reduced by Rs. 23,500."

Maulvi A. K. FAZL-UL HUQ, Babu BIJOY KRISHNA BOSE and Maulvi EKRAMUL HUQ: "That the demand of Rs. 1,22,76,000 under the head '31—Education' (page 132, Civil Estimate) be reduced by Re. 1."

32—Medical.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: On the recommendation of His Excellency the Governor, I move that a sum of Rs. 49,87,000 be granted for expenditure under the head "32—Medical" (page 158, Civil Estimate).

The following motions were called but not moved:—

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 6,44,800 under the head '32A—Medical Establishments' (page 159, Civil Estimate) be reduced by Rs. 50,000."

Babu HEM CHANDRA NASKER: "That the demand of Rs. 4,44,000 under the head '32B—Presidency Hospitals and Dispensaries—Diet, clothing and bedding' (page 165, Civil Estimate) be reduced by Re. 1."

Babu HEM CHANDRA NASKER: "That the demand of Rs. 1,96,950 under the head '32B—Presidency Hospitals and Dispensaries—Medical and Surgical requisites' (page 165, Civil Estimate) be reduced by Re. 1."

Babu HEM CHANDRA NASKER: "That the demand of Rs. 5,000 under the head '32B—Presidency Hospitals and Dispensaries—Customs duty on imported stores' (page 165, Civil Estimate) be reduced by Re. 1."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 17,12,800 under the head '32B—Medical—Presidency Hospitals and Dispensaries' (page 165, Civil Estimate) be reduced by Rs. 100."

Babu TARAKNATH MUKERJEA: "That the demand of Rs.1,00,000 under the head '32C—Medical—Grants to Calcutta Hospital Nurses' Institute' (page 167, Civil Estimate) be reduced by Rs. 40,000."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 2,30,000 under the head '32C—Grants for medical purposes' (page 167, Civil Estimate) be reduced by Rs. 1,00,000."

Rai Sahib PANCHANAN BARMA: "That the demand of Rs. 5,09,000 under the head '32D—Medical Schools and Colleges—other Medical Schools' (page 171, Civil Estimate) to reduced by Rs. 5."

Babu AMULYA DHONE ADDY: I move that the demand of Rs. 50,000 under the head '32—Medical (Reserved A)—Cost of stores purchased in England'' (page 158, Civil Estimate) be reduced by Rs. 10,000.

It will appear from the Budget that Rs. 50,000 have been provided for the cost of stores purchased in England. I object to the purchase of these goods in England alone. Sir, we have resolved from time to time that every encouragement should be given to industries in India. And, Sir, having regard to the fact that most of the goods which used to be imported into India are now manufactured in India, it is only fair that Government would be justified in purchasing goods in India so far as they may be available locally and I therefore strongly object to the wholesale purchase of goods in England.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: Sir, I am afraid Babu Amulya Dhone Addy is labouring under a misapprehension. We have no objection to encouraging industries in India, but I must say that some of these stores are not available in India. For instance, microscopes and surgical instruments of satisfactory quality are not available here. I may explain that the provision of Rs. 50,000 for stores purchased in England is not a new item. Formerly the cost of stores required for all departments was lumped together in the High Commissioner's Budget. Now the cost of stores appears as a separate item in the Budget of each department concerned. This gives the Legislative Council greater control over expenditure as reappropriation from savings from one major head to another will require a vote of the Council. Under the rules regulating the purchase of stores articles manufactured in Europe are normally to be purchased from the Stores Department of the India Office. This procedure makes for economy and for the supply of goods of satisfactory quality. Such articles manufactured outside India may in certain special circumstances be bought locally, *i.e.*, when the price is favourable and the articles are obtainable in sufficient quantity and are of satisfactory quality. In the circumstances I oppose the motion.

The motion of Babu Amulya Dhone Addy was then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 49,87,000 under the head '32—Medical' (page 158, Civil Estimate) be reduced by Rs. 4,00,000."

Maulvi EKRAMUL HUQ: "That the demand of Rs. 49,87,000 under the head '32—Medical' (page 158, Civil Estimate) be reduced by Rs. 2,00,000."

Babu BEJOY KRISHNA BOSE: "That the demand of Rs. 49,87,000 under the head '32—Medical' (page 158, Civil Estimate) be reduced by Re. 1."

Mr. W. L. TRAVERS: I beg to move that the demand of Rs. 49,87,000 under the head '32—Medical' be reduced by Re. 1.

Sir, I have moved this motion because I wish to bring to the notice of Government a few facts about the progress of the Jalpaiguri Medical School, that is to say, the Rajshahi Divisional Medical School at Jalpaiguri. First of all let me mention the progress that has been made in connection with the medical school. We have raised by the generosity of the tea planting community over a lakh of rupees. Our building is now well advanced and one of the new wards has been finished and another is well on the way to completion, and we hope to finish the entire building in April next. Now, Sir, as I understand the new policy as related by the Hon'ble Finance Member, the money which we spend on this building and the whole of the funds that we have raised are to be replaced by a grant from Government and that fund is then to be invested and the interest therefrom is to be devoted towards meeting the recurring charges of the school. What I have to remark on that is that I have a somewhat lengthy experience of the action of the various Government departments and I have found in my experience that when Government introduces a new policy there is always considerable delayed in regard to it. I am apprehensive that in this case the Medical Department which is the department concerned may be hammering at the doors of the Finance Department in regard to the various details of the procedure. I would ask the Hon'ble Finance Member to codify the procedure in regard to this new policy so that there may be no delay in regard to the establishment of the school. I wish also once more urgently to call the attention of Government to our project and to appeal for acceleration and a real beginning of the establishment of the Jalpaiguri Medical School in the next financial year. We have, I think, now observed all the conditions laid down by Government and we have in Jalpaiguri a double

right of appeal to Government for in the Jalpaiguri district the Government is also the principal landlord and a very big and prosperous landlord too. If the hon'ble members will read the Revenue Statement, they will see that in the last year the revenue from the Government Estates in Jalpaiguri increased by Rs. 1 lakh and there is every possibility of its being increased by another half a lakh next year. So we ask Government, not only as Government, but also as a wealthy zemindar of the district, to help us towards success in our desire in regard to the establishment of the Jalpaiguri Medical School.

Mr. J. CAMPBELL FORRESTER: Sir, before I move the resolution that stands in my name, I trust you will permit me to give a short word of explanation about the slight misunderstanding I had about your ruling the day before yesterday. Sir, I am always particular about my resolutions being in order. I was so on the occasion. I consulted our Secretary Mr. James; I also consulted the Acting Secretary of the Bengal Legislative Council. The resolution was submitted to both and declared in order; the resolution having received the approval of these authorities I was naturally somewhat taken aback. Sir, when you ruled my resolution out of order after the considerable trouble I took to see matters were in order. You permitted Maulvi Huq and others to roam all over the political situation in reference to the Montagu-Chelmsford scheme on a resolution that the grant of Rs. 36,000 under the head "Executive Council" be refused. Sir, there is a story told of a Scotsman and a Jew who went into partnership in Aberdeen. The partnership was dissolved at the end of six months because they both went blind watching each other. Sir, I trust that will not be the fate of you or this Council while I know you are supreme in authority of the Legislative Council, by the rules of the House, and while I know that the rules you have given to guide give you such power that any one could be ruled out of order if you desired it. I trust you will not ruin your eyesight by studying them too closely. On reading the rules a little latitude is in my opinion a wise thing to adopt. I trust the House took notice of the fact that I had no resentment against the President nor did I or any of our party walk out. Now, Sir, I will proceed with my amendment which is as follows:—

"That the demand of Rs. 49,87,000 under the head '32—Medical' be reduced by Re. 1."

I will start from the commencement once more.

I feel I have a grievance and I take this opportunity of airing it. The first resolution goes as far back as 1921. The reason of my resolution, as can be easily understood, is not done with the deliberate intention of harrasing the Government but to call the Government's attention to the fact that the resolutions I have been fortunate enough to get passed by this House, have not been given effect to.

I refer to the resolution on the Midnapore Leper Colony which reads as follows:—

That this Council recommends to the Government that a sum of Rs. 50,000 be provided in the ensuing Budget so that an immediate start may be made with the construction of the Bengal Leper Settlement the land having been pro ured for the Government by private gift.

Now, Sir, this resolution was passed unanimously in 1921. I admit I received a letter stating that because of the lack of funds the Government could not carry out this resolution. I recognised that the Government were at that time hard pressed to meet both ends meet. So, like a wise man, I waited in the hope that when the finance of Bengal was in a healthier condition this resolution would receive the due attention it was entitled to, but I see nothing budgeted for towards this object. I recognise advancement in the treatment of leprosy has taken place and the various dispensaries that are treating this disease are doing good work but what is urgently wanted is a place to send the leper beggars to (we have over 1,600 leper beggars in Calcutta). An Act was passed by this House which gives us the power to segregate leper beggars but this Act does not function as we have no place to send them, therefore, it is imperative that this Midnapore Colony or some other suitable place should be procured at once. For over five years evidently nothing has been done. Let us hope now that finance is available and the Government will push matters forward, with a colony for leper beggars.

I have been told since I tabled this resolution, that the reason of delay in proceeding with the Midnapore Colony is that they cannot get water but surely it has not taken them five years to find this out. If they find the site is useless for a leper colony then surely the Government can sell it and buy another site. Bengal holds an unenviable, I may say, a disgraceful position in regard to this Leper Problem. Statistics prove that it does less for these unfortunate creatures than any other province in India. The health of the people is one of the most important matter that this Council can possibly deal with. Citizens do not fully realise the danger that lurks around them. The danger of contagion money is handled by those unfortunate people they use the bathing ghats. They even sometimes handle food stuffs, groceries, clothing, etc. The Government is aware of all this and yet it sits doing nothing. Here is a site that was given to it by private gift over six years ago and nothing has been done all these years. Why stand idle? Life is dear and precious to us all. Is the Government so weak, so indolent or so heartless that it is going to remain indifferent to the health of its millions of people. My previous supplication has been disregarded, my petition has been slighted but I do not mean to abandon the contest until the object of the resolution is fulfilled. I know I do not deceive myself that purposes that are

worth obtaining can be got by lying on our backs and hugging the delusive phantom of hope that all is well.

I regret, Sir, that I am not permitted to talk on the Amusement Tax; but I thank Mr. Donald for the sympathy he has extended to the theatres and I regret it did not extend to the cinemas.

Sir, if resolutions that are passed by this House, the resolutions that are popular, reasonable, and sensible are going to be ignored and made null and void by this House, then it is a useless waste of time trying to further the needs and wishes of your constituency and one's political activities are of no avail.

We elected non-official members are reduced to mere voting machines and therefore have no need for our heads; only our legs will be required to carry us into the Lobby.

Hope springs eternal in the human breast; therefore I still hope that my resolutions will be given effect to

Babu AMULYA DHONE ADDY: Sir, I beg to support the amendment of Mr. Travers. It does not appear from the Budget that adequate provision has been made for the establishment of medical schools in the several districts of Bengal, notwithstanding the unanimous resolution of this Council on that point. So far as I remember this Council resolved that medical schools with hospitals should be established in every district of Bengal, but I do not find that material progress has been made in that respect. With regard to the Medical College in Calcutta it appears that the demand for admission is very keen. Every year we find that there are more than one thousand applications for admission, and it is only, say, 125 students who are admitted.

Mr. PRESIDENT: Order, order. I think Mr. Travers only referred to medical schools. You must confine your remarks to medical schools.

Babu AMULYA DHONE ADDY: This shows that there is a keen demand for medical education, and having regard to the heavy mortality in the mufassal, it is most desirable that the number of medical experts should be increased and consequently increased facilities for medical education should be given. Sir, as a member of the Local Self-Government Standing Committee, I may be allowed to say that not a single meeting of the Committee has been convened by the Hon'ble Member in charge of the Department during the current official year. So far as the Medical Budget is concerned I was under the impression that it would be placed before the Committee for consideration, but that has not been done. In the case of Education Standing Committee two meetings were convened but in the case of the Medical Department it is most regrettable that the representatives of the Council were not

consulted. When these committees were appointed we were assured that we would be consulted in the matter. The appointment of Standing Committees appears to be a bogus one, because no steps were taken by the Hon'ble Member in charge of the Department to consult the representatives of the people.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: I have every sympathy with the object my friend Mr. Travers has in view in bringing forward a censure motion before the House. I think he wants to have some information and I will let him have it. He wants to know what we are going to do about a Medical School at Jalpaiguri. The Hon'ble the Finance Member while introducing the Budget clearly explained the policy of Government as regards medical schools and I would refer Mr. Travers to page 60 of the Red Book at the bottom of which he will find that Rs. 1,55,000 has been provided in next year's Budget for the construction of medical schools. As soon as the conditions which have been demanded by Government are fulfilled we have every desire to see that these schools are established. So far as I am personally concerned, I have the greatest anxiety to see that more medical schools are established in Bengal and next year we have every hope that we shall be able to start a school at Jalpaiguri. We have got proposals for five medical schools next year and Jalpaiguri stands high in the list.

I will take Babu Amulya Dhone Addy first before I deal with the censure motion of Mr. Campbell Forrester. Sir, I am greatly disappointed to find that Babu Amulya Dhone Addy always comes in with adverse comments and criticisms of Government policy without taking the least trouble of trying to follow what we have already said in our speeches. We know that the Finance Member's speech was printed and delivered to all the members of this House and I am sure, if Babu Amulya Dhone Addy had taken the slightest pain of looking at page 10 where the Finance Member deals with medical schools, he would have got his answer there; so I refrain from giving him a direct answer and would simply refer him to that page.

As regards Mr. Campbell Forrester's motion I admire his bull-dog perseverance for running at the throat of at least one member of Government. My Hon'ble colleague Mr. Donald, being a Scot himself, has managed to get scot-free and it has fallen to my lot as Member in charge of the Medical Department to defend my department. I am afraid Mr. Campbell Forrester is under a misapprehension if he thinks that Government are doing nothing to give effect to his resolution of 1922, although it was not possible then to provide the Rs. 50,000 mentioned by him, on account of financial stringency. It will be recalled that a European business man of Calcutta who did not wish his name to be disclosed gave a donation of Rs. 50,000 to the Mission for Lepers in order to provide a site for the proposed colony. A site was acquired comprising 740 acres of land near Chandrakona in the district

of Midnapore. In addition to the Rs. 50,000 mentioned above, the Mission received Rs. 25,000 from Sir Onkar Mull Jatia for the establishment of a dispensary and Rs. 1,000 from the Calcutta Turf Club. Sir Onkar Mull's donation has since been diverted to another object with his consent as the money is not likely to be needed in the immediate future and funds may be obtained from other sources. The Mission provided an extra sum of Rs. 2,000 towards the cost of acquiring the land and Rs. 2,800 for demarcation and for boring. The situation now is that the land is there, but so far an inexpensive source of water-supply has not been discovered. It is not that no water is obtainable; there is a stream a short distance off which can be dammed to form a reservoir; but this would cost a good deal. Borings carried out hitherto do not disclose any water which could easily and cheaply be brought to the surface but further experiments are being carried out. In consequence of the uncertainty about water-supply no provision could be made for starting work on the colony in the next year's Budget. But once this problem is solved, it should be possible for Government and the Mission for Lepers to find sufficient funds for opening a colony. It is proposed to begin with 200 lepers, a number which can be raised to 1,000 later on if the scheme proves successful. The area of land that has been acquired is large because the intention is that the lepers should engage in cultivation and so live a natural outdoor life with plenty of occupation. Cultivation requires water, and unless we have water it is very difficult to keep these men occupied; also they have no water to drink there. So I hope that as soon as this problem is solved we shall get on with this scheme and Mr. Campbell Forrester will have a better account of this scheme in future. I hope this department does not deserve any censure at all and I trust the movers will withdraw their motions.

Mr. W. L. TRAVERS: I beg to withdraw my motion in view of the information given by the Hon'ble Member.

Mr. J. CAMPBELL FORRESTER: I also beg to withdraw my motion in view of the information given by the Hon'ble Member.

The following motion was then, by leave of the Council, withdrawn:—

"That the demand of Rs. 49,87,000 under the head '32—Medical' be reduced by Re. 1."

The motion that a sum of Rs. 49,87,000 be granted for expenditure under the head "32—Medical" was then put and agreed to.

33—Public Health.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur of Nadia: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 36,90,000 be granted for expenditure under the head "33—Public Health".

The following motions were called but not moved:—

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 7,45,000 under the head '33A—Public Health Establishment' (page 175, Civil Estimate) be reduced by Rs. 50,000."

Babu TARAKNATH MUKERJEA: "That the demand of Rs. 7,45,000 under the head '33A—Public Health Establishment' (page 175, Civil Estimate) be reduced by Re. 1."

Babu TARAKNATH MUKERJEA: "That the demand of Rs. 80,000 under the head '33B—Anti-malarial measures' (page 65, Budget Estimate) be reduced by Re. 1."

Babu TARAKNATH MUKERJEA: "That the demand of Rs. 2,10,500 under the head '33B—Kala-azar survey' (page 179, Civil Estimate) be reduced by Re. 1."

Maulvi EKRAMUL HUQ: "That the demand of Rs. 36,90,000 under the head '33—Public Health' (page 174, Civil Estimate) be reduced by Rs. 7,00,000."

Rai Sahib PANCHANAN BARMA: "That the demand of Rs. 36,90,000 under the head '33—Public Health' (page 174, Civil Estimate) be reduced by Rs. 100."

Maulvi SAYYED SULTAN ALI: "That the demand of Rs. 36,90,000 under the head '33—Public Health' (page 174, Civil Estimate) be reduced by Re. 1."

The motion that a sum of Rs. 30,90,000 be granted for expenditure under the head "33—Public Health" was then put and agreed to.

34—Agriculture.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 19,70,000 be granted for expenditure under the head "34—Agriculture".

The following motions were called but not moved:—

Maulvi EKRAMUL HUQ: "That the demand of Rs. 3,50,000 under the head '34A—Veterinary charges' (page 181, Civil Estimate) be reduced by Rs. 27,000."

Maulvi EKRAMUL HUQ: "That the demand of Rs. 10,78,000 under the head '34B—Agriculture' (page 187, Civil Estimate) be reduced by Rs. 1,50,000."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 10,78,000 under the head '34B—Agriculture' (page 187, Civil Estimate) be reduced by Re. 1."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 1,03,000 under the head '34B—Agriculture (Reserved A)—Superintendence' (page 190, Civil Estimate) be reduced by Rs. 20,000."

SHAH SYED EMDADUL HAQ moved that the demand of Rs. 20,452 under the head "34C—Co-operative Credit—Pay of Registrar" be refused.

He spoke in Bengali. The English translation of which is as follows:—

There was a similar motion for the rejection of the salary of the Registrar of the Co-operative Societies in my name during the last session of the House, but the motion could not be moved nor was there any discussion upon it. It gives me no pleasure to move this motion and by moving it I run the risk of incurring the displeasure of the high officials in question, but still I must offer what opposition I am able to offer to the commission of an injustice.

The salary in question is given from the money paid by the people. The money of the people should be spent in a manner which is profitable to the people, it should not be spent simply in order to maintain sycophants.

The work of the supervision of the Co-operative Societies is practically managed by the Inspectors. These Inspectors guided by the Assistant Registrar can carry on the work, and the post of the Registrar can be abolished without detriment. The entire department can be placed in the charge of the Director of Agriculture, as it is done in Assam. I wholly agree with the recommendation of the Retrenchment Committee for the abolition of the post of the Registrar.

The villagers live under severe poverty. Will it not be a good thing to save the money spent on maintaining a useless post and give it to help the poor cultivator as agricultural loans on small interests?

The object of the Co-operative Societies Movement is to help the cultivators. But they fall a prey to the usurious *mahajans* in spite of the Registrar and the other officers because the Co-operative Rural Banks have no funds to give them loans on small interest. Private interests of the local authorities often frustrate the object of these banks. With all the supervision carried on by the Registrar we see that one bank becomes bankrupt after another.

There being no chance of this motion being carried in the House I beg to draw the particular attention of the Hon'ble Member in charge to this matter. The present rate of interest charged by the

co-operative banks is too high. If the salary of the Registrar were rejected and the money were placed at the disposal of the rural banks it would have gone a great way to relieve the hardship of the villagers. As I cannot hope that it will be rejected I appeal to the Registrar to carefully look into the matter and take steps to redress the other grievances of the villagers. I may further request to see that when a bank fails and its liabilities are cleared up by certificate, it is issued on those who are really responsible for the failure.

I hope I shall get satisfactory reply from the Hon'ble Nawab Bahadur on this subject.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: I feel doubtful if the mover has seriously considered the position in bringing forward this motion. While it directly aims at the refusal of the total provision for the pay of the head of the department, it will have the indirect effect of wrecking the co-operative movement in Bengal. The Registrar has certainly defined responsibilities under the Co-operative Societies' Act, 1912. The main function of the department is to bring about a multiplication of sound societies of all classes, to ensure that they are formed on a true co-operative basis and that they remain co-operative in character, to see that they work on proper lines and do not infringe the provisions of the Act, the rules under the Act and their own byelaws, to assist them in raising funds, to hold inquiries into their working, when necessary, to decide disputes in connection with the affairs of the societies, to carry out the audit of the societies, to liquidate unsound and insolvent societies, and to maintain a general supervision over liquidation proceedings.

It is perfectly obvious that a responsible officer should remain at the head of this important and popular department to perform the aforesaid duties. It will be remembered that as a result of decision on the recommendation of the Bengal Retrenchment Committee, the post of the Deputy Registrar has been abolished. A whole-time officer as Registrar is therefore all the more necessary to cope with the work of this steadily expanding department, the number of registered societies increasing annually by 1,000 on an average. With these words, I beg to oppose this motion.

The motion of Shah Syed Emdadul Haq was then put and lost.

The following motion was called but not moved:—

Maulvi EKRAMUL HUQ: "That the demand of Rs. 5,39,000 under the head '34C—Co-operative Credit' (page 196, Civil Estimate) be reduced by Rs. 48,000."

Dr. H. W. B. MORENO: In view of the fact that the Hon'ble Nawab Bahadur has since his assumption of office, evinced a very keen

interest in the housing of the middle classes, including Anglo-Indians, I have great pleasure in not moving the following amendment:—

"That the demand of Rs. 5,39,000 under the head '34C—Co-operative Credit' (page 196, Civil Estimate) be reduced by Rs. 100."

The motion was then, by leave of the Council, withdrawn.

The following motion was called but not moved:—

Babu NALINIRANJAN SARKER: "That the demand of Rs. 19,70,000 under the head '34—Agriculture' (page 181, Civil Estimate) be reduced by Rs. 100."

Maulvi SAYYED SULTAN ALI: I beg to move that the demand of Rs. 19,70,000 under the head '34—Agriculture' (page 181, Civil Estimate) be reduced by Re. 1.

Sir, it is quite well known to us that Bengal being an agricultural country and agriculture being the most important source of wealth, the economic salvation of Bengal can be made to a great extent by improving the agriculture of the province. For that purpose year after year large sums of money are spent by Government, but to our utter surprise we do not find any corresponding advantage arising out of it. This is a department in which it is very easy for the officials to effect improvement. This is a department where the officers concerned are not to deal with theory and are not met with that difficulty to incline the people to act according to their advice as in other theoretical departments. A large majority of the populaton of this province are agricultural and their natural occupation is agriculture and consequently if the officers can devise ways and means and show them that a cultivator can produce crops worth Rs. 200 where he is getting crops worth only Rs. 20 or Rs. 25, they are not men so blind to their own interests that they will not accept the advise and cultivate according to the suggestions of the agricultural officers. That is the reason why I say that this is a department in which the authorities employed to effect improvement can very easily induce the cultivators to accept their advice. It is surprising to us that the agricultural officers' movements are best known to them, but not to the public. I believe that my honourable friends in the Council will bear me out when I say that the movements of the agricultural officers are known only to them, but not to the public. So far as I am concerned I have not yet been able to understand what improvement has been or is intended to be effected in the district which I have the honour to represent, I mean the Khulna district, and as far as I understand, the same is the fate of almost all the other districts of Bengal. If this department is to spend huge sums of money for the improvement of agriculture, then the officers concerned must show every year the corresponding advantage, I mean

corresponding improvement effected in agriculture, every year. Without that the department, however laudable its object might be, has got absolutely no justification for its existence. With these observations I move the motion.

Adjournment.

The Council was then adjourned till 2-30 P.M. on Monday, the 22nd March, 1926, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provision of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Monday, the 22nd March, 1926, at 2-30 P.M.

Present:

The Hon'ble the President (Kumar SHIB SHEKHARESWAR RAY) in the Chair, the four Hon'ble Members of the Executive Council, and 54 nominated and elected members.

GOVERNMENT BUSINESS.

The Budget of the Government of Bengal for 1926-27.
Demands for Grants.

34—Agriculture.

Mr. W. L. TRAVERS: Mr. President, with the improvement in the financial position of the province and after the announcement that a Royal Commission on agriculture is to be appointed I hoped to find in this budget some initiation of a real and progressive agricultural policy. But I regret that I have been disappointed.

Sir, I have said again and again in this Council that if social reform in the country is to progress, if there is to be a rise in the social condition of the people, then there must be an increase of the real wealth, and that wealth can only be increased, in a province mainly agricultural, by the improvement of agriculture. There may be a good deal of legislation to forward that social reform but such legislation will have no effect unless the economic condition of the people be raised. It is impossible to eliminate economic law. There is but one fund from which all finance can be drawn and that is the fund of production but it is perfectly possible to increase that fund by improving the methods of agriculture.

Now, Sir, I shall first of all make a few practical suggestions. I agree entirely with the Director of Agriculture in what he says in his last annual report that agriculture should be placed above party politics in this country. Secondly, I recommend that the members of this House will all combine to study and realise the paramount importance of agriculture in Bengal and I will venture also to recommend that to the Government. It is a great pity though I may say so there

is not more knowledge of agriculture amongst the members of the civil services in Bengal and I venture to suggest that in the examinations which the officers have to pass in this province there should be included one on the theory of agriculture. Thirdly, what is wanted is a real and progressive policy. At present in this department there is only a glimmering of a policy. There has been some progress in regard to agricultural farms and demonstration farms. All this is very excellent work in its own way but it is not at all sufficient. What is wanted is a general speeding-up all round and the formation and extension of a real progressive policy.

If you will permit me, Sir, I wish to point out two directions in which this speeding-up and extension is desirable at once. First of all if a reference be made to the last agricultural report, it will be seen that there is a great possibility that cotton may be profitably grown in the districts of Bankura, Birbhum, Burdwan and Midnapore. The valleys in Bankura are cultivated but the uplands are at present non-productive. They are bare and grow very little crop but experiments have shown that on these uplands cotton will most probably be profitable, and, more than cotton, fodder crops and pulses also. The people of those districts are dependent only upon the valley and gain a somewhat precarious living. Now, my point with regard to that most important work is that it is under the charge of the Second Economic Bontanist but that officer has a great deal of other work to do. I suggest to the Hon'ble Member in charge of Agriculture that at least one, if not two, experts be secured and appointed to push on that work at once. There is a real prospect in regard to cotton production of turning a poor district like Bankura into a comparatively wealthy one, turning the inhabitants into a comparatively wealthy and prosperous population. What is wanted is the immediate speeding-up of the experiments, investigations, followed by demonstration to the raiyats. That is one of my points.

Another is in regard to sugar production where research and investigation, followed by demonstration to the raiyat may lead to great results, with great profit to the people and to the province. The Tana Cane has made great progress amongst the people as well as any cane or seed which gives profitable results. But now there has been discovered another cane which has been named C-213. C-213 has been proved to give higher return of sugar both in regard to quality and quantity, and, more than that, of great importance for which it is a great asset in Bengal is that it is more resistant to disease. Now in regard to its dissemination a whole-time officer is very badly wanted.

I ask the Hon'ble Member to investigate these two examples which I have brought up, and I hope he will be able in a supplementary budget to find the money for the appointment of these experts. I hope also that he will, as I have said, make a real effort to formulate a

progressive policy. I am sure the members of this Council will vote the money that will be required to give effect to such a policy. It remains for the Hon'ble Member to evolve that policy.

Babu AMULYA DHONE ADDY: I have much pleasure in supporting the amendment of Maulvi Sultan Ali. Sir, when the three Taxation Bills were enacted into law, we were assured by the Government that the major portion of the revenue would be allotted to nation-building departments. Only a few months ago when the registration fees were increased, we were also favoured with a similar assurance, and when on the suggestion of Mr. S. N. Mallik, who is now an Hon'ble Member of the India Council, this Council resolved that 40 per cent. of the revenue of the Government of Bengal would be devoted for the improvement of sanitation and development of agriculture and industries. I am really sorry to find that that resolution and even the assurance of the Government appear to have been ignored by the Hon'ble Member in charge. Sir, Bengal is an agricultural country. Ninety per cent. of the population of Bengal depend directly or indirectly on agriculture. The Muhammadans are more interested in agriculture than the Hindus. It is, therefore, desirable that some material step should be taken for the development of agriculture as early as possible. Agriculture depends largely on the number and condition of cattle, but we find from the statistics in the report of the Government itself that the number of cattle has been decreasing from year to year. In Bengal in the year 1916-17 it was 25,324,000; in the year 1920-21 it came down to 24,724,000. In Australia we find that the number of cattle per hundred of population is 245; in Uruguay in South America it is 500, but in Bengal, I am ashamed to say, it is only 50 per hundred of population. We all complain of the high price of food-grains; what is the reason of this? The outturn of food-grains is very small in Bengal, and the principle reason of this small outturn is the number of cattle deteriorating from year to year. As will appear from the official report of 1921-22, the number of deaths among cattle from infectious diseases was 15,752; what steps have been taken by Government to reduce the mortality of cattle in Bengal? Practically none. It appears from the official report that there are only 39 veterinary charitable dispensaries in Bengal. There is not a single veterinary charitable dispensary in Calcutta: I admit there is one veterinary hospital in Belgachia in Calcutta, but that is not a free one.

Then as regards breeding, there are 158 stud bulls in the whole of Bengal maintained by the Government and local authorities. Is that sufficient to serve 7 million cows of Bengal?

As regards the area of grazing ground in Bengal, it is very small. In the United States of America it is 1·6 acres per head of cattle; it is only ·17 in Bengal; practically one-tenth. So I beg to draw attention to the fact that when we have been enforced to enact three

Bills for the increment of taxation, when we have been assured from time to time that a material portion of the revenue therefrom would be devoted for the improvement of sanitation and development of agriculture, practically nothing has been done. The number of cattle has been going down, mortality among cattle is very high, and the area of grazing grounds is also very small.

With these remarks, I beg to submit that the department, I am ashamed to say, deserves censure at our hands unless material steps are taken for the development of agriculture in Bengal.

Maulvi TAYEBUDDIN AHMED: Mr. President, Sir, the administration of the Department of Agriculture is quite unsatisfactory. Bengal is an agricultural country and her economic salvation depends entirely on the improvement of agriculture. We hear of the department for a pretty long time but during this long period of its existence the department has not been able to give a good account of the work done by it. It will not be far from the truth to say that the cultivators for whose benefit, I understand, the department should exist have not been able to appreciate the utility of the department. The Hon'ble Member in charge of the Department of Agriculture is well acquainted with the working of the department. The Hon'ble Member in charge of the department brought a similar motion, if I remember aright, in the year 1924, when he was out of office and criticised the budget of the then Minister and made some valuable suggestions for the improvement of the department. He gave a short history of the department and its staff but not of the work of the department. In that memorable speech of the Hon'ble Member he gave us to understand that during the peaceful terms of his office as a Minister he had a few projects which were of a very urgent character and he found fault with the then Minister for not paying attention to those projects of supreme importance. The Hon'ble Member also said that in his opinion the entire system had to be changed but we find no change in the system, no new project to be taken up. I do not like to enumerate the criticisms levelled against the budget of 1924 by the Hon'ble Member, but what strikes me most is that in the budget estimate of this year, when the Hon'ble Member having so many valuable projects before his mind's eye has got the portfolio of the department, I find that no provision has been made to take up any new scheme or a line of work that would benefit the masses with whom we are more concerned. We hear a good deal of district farms, both experimental and commercial, but from my own experience I can say that these farms have not been successful either as experimental farms or as commercial ones. I do not know whether the department has made any appreciable progress in the cultivation of Ganja but as regards other crops the department has given a very bad account of it. While going out for an evening walk or travelling by train from Mymensingh southwards I have seen the

Mymensingh farm. I must say that the object of establishing the farm has so far been proved entirely useless. There are lands of ordinary cultivators side by side, any man passing by will be convinced of the superiority of the crop standing on the land of ordinary cultivators. I do not know whether the princely paid officers of the department have got a scientific way of disproving what is palpable to any man who has not lost his sight. For distribution of seeds only, I think, the existence of the department cannot he justified. Government ought to pay more attention to this department if it wants to see some good done to the cultivators. The officers should demonstrate the results of successful experiments to the villagers on small plots and under the conditions in which our agriculturists actually live. In the present budget I find no provision to attain this object. The entire system of the department is totally rotten and has to be changed and the activities of the department have to be expanded.

With these few words I support the motion of Maulvi Sayyed Sultan Ali.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: Sir, my friend Mr. Sultan Ali has brought a two-fold charge against this department. In the first place he says that the work of the Agriculture Department has been of no advantage to the public and secondly he charges Government with doing nothing for the agricultural advancement of the Khulna district. I am surprised, Sir, at both these assertions as it shows that although my friend professes to represent the Khulna district he cannot be in close personal touch with his constituency. Now in the first place it is hardly possible for me to detail in a short speech the manifold benefits which the work of the Agriculture Department is conferring on the agriculturists of the province nor does it seem necessary to do so; but surely it should be well known to every member of the Council who cares to keep himself in touch with the actual cultivators that the valuable research work of the Agriculture Department has, in more than one direction, directly led to an increase of income of the cultivators. The net increased profit earned by the cultivation of departmental races of jute is estimated at no less than Rs. 7 per bigha and the increased profit earned by the cultivation of departmental races of paddy is estimated at over Rs. 2 per bigha. Surely, this is no mean result! It is a result of which any department may justly be proud. Valuable work of a similar nature has been done by the department in the matter of sugarcane, tobacco and potatoes. The work of the department in connection with the evolving of an improved breed of bulls and cows with a view to draught purposes as well as increased milk yield is also well known and in the field of sericulture the work of the Department is being more and more appreciated, so much so that sericulture promises to be a very popular occupation amongst the middle classes in the near future.

The work of this department, Sir, I need hardly point out, is not of a spectacular kind and it bears fruit slowly in the fields of the villagers and Government can hardly be blamed if it fails to catch the eyes of those who are out of touch with village conditions.

Now, Sir, with regard to the work of the Khulna district the position is this: The main line of work which Government pursue in the matter of agricultural conditions, in a particular district, is to establish a district farm where the results of research at the central farm at Dacca can be tested under local conditions before they can be demonstrated to the public of the district with such adaptation as the circumstances dictate. In pursuance of this policy Government have been establishing a district farm in every district and preference is being given to those districts where district boards are coming forward with offers of substantial assistance. So far we have received no such assistance from the Khulna District Board, and it has not, therefore, been possible to establish a farm in that district yet. If my friend Mr. Sultan Ali diverts his energy from criticisms in the Council to the practical field by influencing the district board in this useful channel, he would be doing a service to his constituency and would be really helpful in placing at its disposal the benefit of the work of the Agriculture Department to a greater extent than is possible now. But, Sir, in spite of the disadvantage involved in the want of a local district farm we have not been altogether wanting in our duty to the Khulna district. Speaking personally, I may remind Mr. Sultan Ali of the fact that while I was Minister in charge of this department only a few years ago I heard that scarcity conditions prevailed in the district of Khulna and I actually toured the length and breadth of the district in company with Sir P. C. Ray and made personal investigations into the agricultural and industrial problems of the district. Members of the Council will get some idea of the extensive nature of my tour in the district of Khulna when I mention that at the end of it I was broken down in health; but I had the satisfaction of getting a clear idea of the needs of the district from the point of view of agriculture and industries. I discovered that the intrusion of saline water through breaches in the embankments caused a serious economic loss to the cultivators of the district every year by damaging the paddy crop and under my orders special investigation was started with a view to evolving races of paddy that would resist saline water. These investigations are still in progress and Government hope that they will lead to very valuable results. Then, again, we have placed a special officer on duty to effect improvement in sugarcane cultivation which is one of the principal industries of the Khulna district. This officer is engaged in distributing setts of improved sugarcane and holding demonstration which are expected to lead to an extension of the cultivation of this profitable crop as well as improvement in the method of its cultivation.

The fishery problems of Khulna are of great importance and while I was Minister in charge of the Agriculture Department I attempted to effect an improvement in the fisheries of the district but unfortunately the abolition of the Fishery Department, as a result of retrenchment, has rendered any further work in this line impossible. The question of improving the condition of fishermen as well as of their industry has not, however, been overlooked. The Co-operative Department has started fishermen's societies in the district which will, it is hoped, go a great way towards giving an impetus to the improvement of fisheries in the district.

From what I have said, Sir, I am sure the Council will see that had my friend Mr. Sultan Ali been in actual touch with his constituency he would not have charged the Agriculture Department with doing nothing for the district of Khulna.

As regards Babu Amulya Dhone Addy's criticism I would refer him, Sir, to my speech introducing the budget where I have dealt with all the subjects to which he has alluded.

Mr. Travers has referred to sugarcane and cotton cultivation. The average annual area under sugarcane in Bengal is over 605,000 bighas. The area under this profitable crop is capable of much extension specially in the Presidency Division. After systematic tests as to yield, purity of the juice, freedom from disease, etc., it has been found that the Tanna variety is the best suited to the climatic and other conditions of the province. Under favourable conditions it has yielded over 33 maunds of *gur* per bigha. This variety has now become very popular with cultivators, and is grown on many thousands of bighas of land.—

Mr. PRESIDENT: You have reached your time-limit, Nawab Sahib.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: May I complete my speech. I want to say something more.

Mr. PRESIDENT: I am afraid I cannot allow it. We have reached the time-limit fixed by His Excellency the Governor.

The following motion of Maulvi Sayyed Sultan Ali was then put and lost:—

"That the demand of Rs. 19,70,000 under the head '34—Agriculture' be reduced by Re. 1."

The motion that a sum of Rs. 19,70,000 be granted for expenditure under the head "34—Agriculture" was then put and agreed to.

35—Industries.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: On the recommendation of His Excellency the Governor, I move that a sum of Rs. 10,80,000 be granted for expenditure under the head "35—Industries" (page 198, Civil Estimate).

The following motions were called but not moved:—

Maulvi EKRAMUL HUQ: "That the demand of Rs. 7,01,500 under the head '35A—Industries' (page 198, Civil Estimate) be reduced by Rs. 50,000."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 7,01,500 under the head '35A—Industries' (page 198, Civil Estimate) be reduced by Re. 1."

SHAH SYED EMDADUL HAQ moved that the demand of Rs. 30,000 under the head "35A(*b*)—Industries—Pay of Officers" (page 200, Civil Estimate) be refused.

He spoke in Bengali. The English translation of which is as follows:—

Sir, the expenditure of this department amounts to more than 7 lakhs, including both the voted and the non-voted items. All this money belongs to the people. But it would appear from the action of Government that their intention is to provide for a number of Europeans and faithful Indians with this money to the neglect of the interests of the people. The people derive no benefit from these high officers whose salaries they have to find. In the present instance, four officers are superfluous, because one can do the work done by all of them. We have, however, no power over the non-voted item. So I move the reduction of Rs. 30,000 from the voted list, by way of a warning to Government, because I know that there is no chance of its being passed.

The Hon'ble Nawab Bahadur SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: Sir, I may explain to the Council that the provision represents the pay of the Industrial Chemist and the Industrial Engineer and allowances for the acting arrangement in place of the Deputy Director of Industries who is expected to take leave during 1926-27. As explained in the course of my general review of the budget, research and experiment are essential preliminaries to all scientific and for that matter all industrial developments and it is obvious that there should be officers directing the work of research and experiment. As the departmental annual reports will indicate, the Industrial Chemist has been doing very useful research work. The department was seriously

handicapped, owing to the post of the Industrial Engineer having remained vacant for a long time. The post has recently been filled by the appointment of an Industrial Engineer on the recommendation of the Advisory Board of Industries, attached to the Department of Industries. I cannot conceive that the mover seriously desires that Government should abolish the posts of Industrial Engineer and Industrial Chemist, because the only effect of this will be not only to retard the industrial progress of the province but also to deprive the small industrialists of their services. As regards the Deputy Director I would explain to the Council that the question of the abolition of the post is now under the consideration of Government and a saving will be effected if it is eventually decided to abolish the post. But until a decision is come to in the matter it is reasonable that the Council will allow the provision to stand. With these words I oppose the motion.

The motion of Shah Syed Emdadul Haq was then put and lost.

The following motions were called, but not moved:—

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 1,12,000 under the head '35A(*b*)—Industries (Reserved A)—Direction' (page 200, Civil Estimate) be reduced by Rs. 8,000."

Babu AMULYA DHONE ADDY: "That the demand of Rs. 50,000 under the head '35—Industries—Cost of stores purchased in England by the High Commissioner' (page 198, Civil Estimate) be reduced by Rs. 10,000."

Babu NALINIRANJAN SARKER: "That the demand of Rs. 10,80,000 under the head '35—Industries (Reserved and Reserved A) (page 198, Civil Estimate) be reduced by Rs. 100."

Babu DEBI PROSAD KHAITAN: I move that the demand of Rs. 10,80,000 under the head "35—Industries (Reserved and Reserved A)" be reduced by Rs. 100.

It is quite apparent, Sir, that the object of my moving this resolution is only to raise a discussion on the department of Industries and not with the intention of making any cut whatsoever in the grant that is demanded for developing industries in this province. Far from recommending any cut, my grievance is that a larger amount is not allotted to the Department of Industries. We are all well aware how much unemployment is existing in this province. Anybody who has any occasion to employ a number of men in his establishment must have sad experience that at least half a dozen to a dozen promising young men come to the office day to day asking for employment and it is very painful to have to return them with denials, although most of them seem to be very promising young men fit for employment. What is the reason that has brought about such a deplorable state of things? The reason

is that industries have not sufficiently developed in this country, and especially so in the Province of Bengal. We hear repeatedly from time to time complaints made that young men do not find employment and that there is a considerable amount of unemployment in this province. To investigate this question of unemployment, a Committee sat for several months together and made its report, but the public are not aware what action has been taken by the Government on that report. The Hon'ble Nawab Sahib made some statements in reply to a question put by Dr. Moreno in regard to Anglo-Indian unemployment. That was also one of the questions which the Committee dealt along with unemployment question which exists generally among the middle classes of Bengal. Even that reply was not at all satisfactory. It simply showed that the matter had practically been shelved and that some sort of excuses or futile reasons were put forward as to why substantial steps were not taken on the strength of that report: To say the least of it, it was not at all convincing. But nothing has been said at all about the general unemployment that exists. Recently, Sir, we have had some debate in this Council about the employment of the people of this province in the public services. But unfortunately, Sir, that debate tended towards communal considerations and only raised communal discussions. But, Sir, is it the employment of young people in the public services that finds sufficient solution of that all-important question when it is remembered that the number of people who can be appointed to the public services or by the municipalities and district boards or even by the railway services which are controlled by Government is necessarily limited? What does it matter, Sir, to the people of the country as a whole when only a certain fixed number of people is appointed to them whether they be Hindus or Muhammadans, Christians or Parsies or Sikhs. The number of people to be employed in this province is necessarily restricted to the number of persons required to carry on those offices or to carry on railway services or to carry on the work of municipalities or of district boards. The real solution must lie in the development of industries not only in this province but also in the country as a whole; and when we analyse the factors that exist there, we find that Government can develop the industrial resources of the province to a great extent, but I am sorry to say that Government have so far not moved in a sympathetic and active way in that direction. Several years ago we were told that a State-aid to Industries Bill was going to be put forward in this Council. That was done when the Nawab Sahib was Minister in charge of the department; and although so many years have elapsed that Bill, or even the draft of it, has not yet seen the light of day. Can it be said that the people of this province are responsible for this delay and negligence on the part of Government in putting forward such a useful measure? Does not Bengal lag behind other provinces like Madras and Behar in this respect? I am told that, with

State aid, the Industries Departments of Madras and Bihar are doing useful work and the results so far achieved in these respective provinces augurs well for the future development of the industrial resources of these provinces. What reason is there that Bengal should lag behind in that direction and why some serious endeavour should not be made by the Government to give banking facilities not only to small industries but also to larger industries in the province? What really stands in the way of the people of this province from taking to industrial pursuits is the want of banking facilities. Bombay especially is far ahead of Bengal in this respect. There are organisations there which help industries. But here in Bengal there is no organisation whatsoever to which Government can point, to which the people of this province can look forward, for financial assistance. There is no institution whatsoever either in the shape of banks or in the shape of Government institution, which could lend money for a long period to any industrialist in this province. The Hon'ble Sir Basil Blacket, when opening the Calcutta premises of the Central Bank, expressed his great surprise at the large extent to which the industries of the country have to rely on short term credits. But no remedy has yet been put forward either by the Government of India or by our provincial Government to remove that difficulty from the way of the industrialists in this province. I do hope and trust that Government will seriously consider the importance of giving banking facilities to the industrialists and will do something, if necessary in conjunction with the Government of India, to remove this difficulty from their way. Sir, the Department of Industries that has been brought forward is like a wax figure, beautifully dressed and placed in the shop window by a shop-keeper. They have no funds, no power, no proper staff to carry on any work. I do not say that the Department of Industries should be abolished, or that the department over which the Director of Industries presides should be abolished, but what I want is that it should not be managed in the narrow way in which it is being run, but that funds should be placed at its disposal. It should be allowed not only funds, but also opportunities for work, and the reply of the Nawab Bahadur that they carry on researches—researches in the making of buttons, or researches for changing the splinters of matches from brown to white, and so on—will not suffice. The real problem of industries goes broader and deeper than that. It is not only helping the people with researches, it is not only helping the people to find out markets, that will solve the problem but it is substantial encouragement and assistance which are required to be given to the people of this province, which is lacking in any sort of financial facility for the development of industries. Sir, this Department of Industries is the creature of the report of the Indian Industrial Commission. But what is it they recommended? Did they recommend that an impotent body like the Department of Industries that has been

set up in this province should be created. They never recommended that it should merely be an advisory body without any funds, without any staff and without any power whatsoever. They recommended that a substantial body, with funds, with power, with proper staff and with the opportunities for rendering service to the country, for helping the people to develop industries, should be set up. Sir, the Secretary to the Department of Industries, Mr. G. S. Dutt, did substantial work in the district of Bankura when he was in charge of that district. I know for certain that, if he is given proper facilities, he is the proper person to tackle this problem, but I do not know why he does not show more substantial results in this direction. I know that the Nawab Bahadur does feel about it. I should like to hear from him what it was that stood in his way, when he was Minister and what it is that stands in his way now when he is the Member in charge of the department. What is standing in the way of the development of this department is mere indifference and apathy. The people want assistance, they want buying power, they want money in order to have two meals a day, they want money in order that education may be spread, they want money in order to have pure drinking-water and to adopt sanitary measures which would protect them from epidemics and other diseases. I think it is industries only that will help them to earn wealth in order to secure those amenities for which the people of this province are crying for. I hope that next year something substantial will be done to develop this department in order that the earning power of the people may be increased.

Dr. H. W. B. MORENO: Sir, I welcome very much the remarks of my friend Mr. Khaitan on this very absorbing question. He has spoken with a wealth of detail concerning the whole question of unemployment, here in Bengal. I should like for a moment or two to touch on one or two points, as they affect the Anglo-Indian community. It is well known that this community for causes beyond its control, is going steadily from bad to worse in the economic race of life in this Province. In 1889, when the Property Commission was appointed in Bengal, it was found that almost one in five was a pauper in the Anglo-Indian community. Some time in the year 1907 or thereabouts, when Sir Alfred Pickford and others made a study of the problem here in Calcutta, it was found that practically one in four was a pauper. Now, from the investigations that have been recently made, it appears that one-third of the Anglo-Indians are paupers or are dependent on some sort of charity for themselves or for their children. I have raised this question not only on this budget, but on previous budgets, bringing to the attention of Government the great growth of unemployment among the Anglo-Indians. When I asked a question in this Council regarding the Unemployment Committee's Report, I took it that the Government

would give me a full and frank reply, dealing in a practical way with the whole question. In their reply Government evaded the whole issue; the answer was either in the affirmative or in the negative—nothing more. We in this Council are not satisfied with replies of this nature. Mr. Khaitan has made that point very clear. We do want facts and figures: we do not want empty statements: we want bread and trust we will not be offered a stone. It is well known that my community is now the object of charity from outsiders and sympathisers. What I should like to express boldly to this Council is this: We Anglo-Indians do not want to depend upon the charity of others; we want work and as long we are capable of doing the work, we demand it. It is up to Government to meet our needs or cast us aside. I cannot speak too strongly on this subject because I know how at present the members of my community have been badly hit. I quite realise that the Hon'ble Nawab Bahadur, who has recently taken charge of this department will do his very best to face this problem; what I wish to do at the present time is to strengthen his hands in the Council in order that the Government may realise that this is a thing which requires the most earnest attention. It is for this reason that I heartily support Mr. Khaitan's views, not because I wish to outline how the problem can be solved—Mr. Khaitan is a financier of some distinction and has gone fairly well into the question by his suggestion for the opening of banks for the purpose of subsidising industries—I do not care to deal with all these technical matters here, I simply want to urge upon the Government this important question as it vitally affects my community; and I trust the Nawab Bahadur, who is taking a deep interest in this question, will give his whole-hearted attention to this problem and will see that my community will go away satisfied with the action that he will take in this respect.

With these remarks I support the motion moved by my friend Mr. Khaitan.

Mr. K. C. RAY CHAUDHRI: We have heard a great deal about want of facilities to provide employment for the unemployed. There is not enough remunerative work to go round so how can you find work for a large number of the unemployed? What we should do is to start an Employment Bureau—or Employment Exchange—to gather statistics of unemployment and prepare a list of the unemployed and to recommend people who want employment.

Another point in which I am greatly interested is the introduction of an Act like the Apprentices Act, they have this in Europe and in Japan. In Japan they have an Act which compels industrialists—especially those who get orders from Government—to provide training for young men, and unless something is done on these lines, there is no chance of our solving the most urgent of our Industrial problems, *viz.*, Apprenticeship.

Thirdly, my friend, Mr. Khaitan, has said a good deal about introducing an Act to provide State-aid to Industries. That is no doubt a very good thing, but unfortunately from my experience of the Behar State-aid to Industries Act, I find that it is not working very satisfactory. If an Act like this is to be introduced, it must be framed in such a way as would empower Government to investigate the position of any Industrial Concern seeking loan facilities and enable Government to act as gurantors to any lending bank or financiers. The Act should also include satisfactory provisions for State aid to genuine agricultural concerns.

Mr. C. S. DUTT: Sir, Government have the fullest sympathy with Mr. Khaitan in the spirit in which he has made the remarks with regard to the Industries budget. I understand that he does not wish to make any cut but desires to draw attention to the importance of the subject and to the necessity for more funds being provided under the head "Industries". I can assure Mr. Khaitan that Government fully realise the importance of providing more funds for the development of industries. We have several important schemes of development under this head which are expected to mature shortly, and we hope the Council will soon be asked to vote money for this purpose.

I would refer specially to one or two points raised by Mr. Khaitan: one is regarding the Unemployment Committee's Report and the action taken by Government thereon. Mr. Khaitan and Dr. Moreno have both referred to this in terms which are not very charitable to Government. Mr. Khaitan characterises the action taken by Government as being one of merely giving "excuses" and Dr. Moreno thinks that we have not taken any action at all on the Report. But I think if they will scrutinise the answer which was given by Government a few days ago in the shape of a statement which was laid on the Library table, they will find that Government have been taking every possible action on the report of the Committee. The recommendations of that Committee fall under three categories; under the first category fall those recommendations on which no action is considered practicable. Secondly, there are recommendations on which action cannot be taken immediately and without lengthy deliberation and inquiry. Under this category fall recommendations to have the whole system of education changed. That is a matter in which surely the Council cannot expect the Government to take action all at once: it is receiving their very careful attention and action will be taken in due course. The third category under which the recommendations of the Committee fall is with regard to the speeding up of industrial development: that is a matter in which Government are actually taking action, and here I should like to say that although Government sympathise with the object which Mr. Khaitan has in view, yet from his remarks one gets the

impression that he thinks that Government have actually been doing nothing in this direction. In this connection I should like to refer to the Calcutta Technical School which has just been opened by Government and which is calculated to mark an epoch in the industrial development of the province. Surely, Sir, that is an institution on the opening of which the Government can expect to be congratulated—at least they expect their action to be appreciated by the members of the Council. A very large recurring expenditure has been undertaken by Government in respect of this institution; this was one of the recommendations of the Unemployment Enquiry Committee—one of the few definite recommendations on which Government have found it possible to take immediate action. Then again the Berhampore Silk Weaving Institute is being started with the express purpose of providing training for the *bhadralok* young men in the handling of power machinery.

With regard to the State-aid to Industries Bill, Sir, to which Mr. Khaitan has referred, I may explain that the delay in dealing with this Bill has been due in part to the drastic change in principle introduced by the Advisory Board of Industries in revising the original Bill.

(As the time allotted for discussion under this head having reached here the member had to resume his seat.)

Babu DEBI PROSAD KHAITAN: I beg leave to withdraw my motion.

The motion was then, by leave of the Council, withdrawn.

The motion that a sum of Rs. 10,80,000 be granted for expenditure under the head "35—Industries" was put and agreed to.

37—Miscellaneous Departments.

The Hon'ble Mr. J. DONALD: On the recommendation of His Excellency the Governor I move that a sum of Rs. 2,70,000 be granted for expenditure under the head "37—Miscellaneous Departments".

The following motions were called but not moved:—

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 1,74,000 under the head '37A—Inspector of Factories' (page 206, Civil Estimate) be reduced by Rs. 74,000."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 1,74,000 under the head '37A—Inspector of Factories' (page 206, Civil Estimate) be reduced by Rs. 65,000."

Maulvi EKRAMUL HUQ: "That the demand of Rs. 1,74,000 under the head '37A—Inspector of Factories' (page 206, Civil Estimate) be reduced by Rs. 50,000."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 41,000 under the head '37D—Miscellaneous—Smoke Nuisances Commission' (page 208, Civil Estimate) be refused."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 41,000 under the head '37D—Miscellaneous—Smoke Nuisances Commission' (page 208, Civil Estimate) be reduced by Rs. 11,000."

Babu AMULYA DHONE ADDY: I beg to move that the demand of Rs. 34,000 under the head "37D—Rent Controller" (page 209, Civil Estimate) be refused.

Government introduced the Rent Act for a limited period as a war measure. The object of the Act was to restrict temporarily the increase of rent in Calcutta. In the year 1920, when the Calcutta Rent Bill was introduced by the Hon'ble Maharajadhiraja Bahadur of Burdwan, he stated that extraordinary circumstances required extraordinary remedies. The Government at that time thought that circumstances in Calcutta were of such an extraordinary nature that an extraordinary remedy in the shape of the present Rent Act was required to protect the tenants. But circumstances have since then materially changed for the better and at present the supply of houses is greater than the demand. In 1923, when there was a proposal to further extend the Act, the Hon'ble Sir Surendra Nath Banerjea stated that the abnormal situation which existed in 1920 no longer existed in 1923 and that the situation was approaching normal condition and that any further control would be unjustifiable. The Act is admittedly defective——

Dr. H. W. B. MORENO: On a point of order, Sir. Mr. Addy is discussing generally the Rent Act whereas his motion is for a cut in the demand for the Rent Controller.

Mr. PRESIDENT: I think he is entitled to do that.

Babu AMULYA DHONE ADDY: Thanks. The Act is admittedly defective as it ignores the ordinary right of ownership, disregards the civic right of a citizen and sets at naught the law of supply and demand. The artificial control of rent should be done away with for the interest of landlords as well as of the tenants and the control of rent should entirely depend upon the law of supply and demand.

The Hon'ble Sir HUGH STEPHENSON: On a point of order, Sir. I understand that the speaker has a Bill before the House to abolish the Rent Act. Is he in order in discussing that question now?

Mr. PRESIDENT: Has there been any discussion of that Bill?

The Hon'ble Sir HUGH STEPHENSON: No, Sir.

Mr. PRESIDENT: In that case he is in order.

Babu AMULYA DHONE ADDY: The existing Act suffers from many other defects such as rent of portions of huts remains outside the scope of the Act. Godowns and warehouses are excluded from the purview of the Act. Finally, as there is at present no necessity for the continuance of the rent control and as a definite pledge was given by the late Hon'ble Sir Surendra Nath Banerjea on behalf of the Government that rent control would cease on the 31st March 1924, it is high time that the Act for the control of rent in Calcutta should be repealed.

It may be said that the existing Act will expire in the month of March 1927 and, therefore, Government are justified in providing for the pay and establishment of the Rent Controller for the ensuing official year.

I beg to submit that all the public bodies whose opinion was asked for by Government have expressed the opinion that the Act should be repealed and that there is no necessity for the continuance of the Act. So I would suggest that Government may be pleased to introduce a Bill even at this session of the Council to repeal the Calcutta Rent Act. As I have already said it is not only defective but is quite unnecessary and unreasonable. Even my friend, Dr. Moreno, when moving his Bill for the amendment of the Rent Act, expressed the view at the last session of the Council that there are several anomalies in the present Act.

Now, Sir, I would draw your attention to the opinion of the several public bodies in this matter. The Marwari Association has said—

> House rent has already fallen considerably and still shows an inclination to fall. It was in view of the fact that the situation was fast becoming normal, that in January 1924, when a Bill for the amendment of the Rent Act was introduced in Council, the operation of the Act was extended till the end of March 1927 only. A Rent Act for Calcutta is therefore now considered unnecessary.

The British Indian Association state—

> As the circumstances which warranted its enactment in 1920 and its subsequent amendments in 1923 and 1924 have ceased to exist, and as many buildings have since been erected in Calcutta, causing substantial reduction in rent and many premises are lying vacant at present, we venture to think that the Act is unnecessary and inequitable to the landlords of Calcutta.

Then I would draw your attention to the opinion of the Bengal National Chamber of Commerce which consists of some of the leading merchants of Calcutta. That Chamber has expressed the view that—

The Committee are of opinion that the necessity for the continuance of the Rent Act in Calcutta no longer exists.

It may be alleged, Sir, that these public bodies are not statutory. However, let me quote the opinion of the Calcutta Corporation. That body has expressed the opinion that "general improvement in the situation renders the Rent Act neither desirable nor necessary". One of my friends in the back benches says that that body is the representative of the landlords of Calcutta. That might have been so, Sir, under the Act of 1899, but under the Act of 1923 the circumstances have materially changed. The Corporation of Calcutta is now a body of representatives not of the landlords but of the tenants. (Question.) My friend questions and I can prove that this body is representative of the tenants. The abolition of the system of plural voting and the introduction of the principle of "one man, one vote" has made the Calcutta Corporation representative of the tenants. Suppose in a big premises there are 10 shops, and each of the shop-keeper pays Rs. 25 as monthly rent; they are entitled to give 10 votes, but their landlord paying rates on monthly rent of Rs. 250 is entitled to give one vote only.

Mr. PRESIDENT: Now come to your point please.

Babu AMULYA DHONE ADDY: I will now quote from the opinion of another body representative neither of landlords nor of tenants. It is a body consisting of men of business—I mean the Calcutta Improvement Trust. The Trust states—

The necessity for the Rent Act itself has largely disappeared because land values in Calcutta have gone down and prices of building materials have decreased considerably. Vacancies in house property are numerous and there has been a considerable reduction of rent all over Calcutta.

Therefore, Sir, having regard to the fact that all public bodies—statutory or non-statutory—have expressed the opinion that there is no necessity for the Rent Act and that it is most unjustifiable; I beg to submit that it should be repealed.

It may be said that it will be a source of hardship to the present incumbent who administers the Act, *i.e.*, the Rent Controller. I understand, Sir, he is a Deputy Collector and he may be transferred to some other Government department.

My object is not to effect a reduction in the demand for Rent Controller but it is simply to draw the attention of Government to the pledge they gave to the Council regarding the repeal of this Act through the late Hon'ble Sir Surendra Nath Banerjea.

Mr. K. C. RAY CHAUDHURI: I want to speak on the motion for the demand of " Inspector of Factories ".

Mr. PRESIDENT: In that case you will have to wait till the Government reply to the motion that Babu Amulya Dhone Addy has moved.

Dr. H. W. B. MORENO: I find it always hard to catch up to the mentality of my friend Mr. Addy and on this occasion his mentality has passed far beyond my reach of comprehension. He discussed in the most glowing terms the necessity for the repeal of the Calcutta Rent Act and I can quite understand his position there, for he is after all a representative of the Bengal National Chamber of Commerce, whose members among themselves practically own half the properties in Calcutta; but I really could not understand him when he went on attacking so severely the poor Rent Controller for all the faults of the Rent Act. He seemed to be castigating Peter for all the faults of Paul!

Mr. PRESIDENT: You are mistaken, Dr. Moreno. Mr. Addy took advantage of the opportunity to criticise the Rent Act; he made it quite plain when he concluded.

Dr. H. W. B. MORENO: I am criticising the manner of his attacking the Rent Act. The real issue, I think, is the demand of money to pay the Rent Controller and his department but Mr. Addy has used it as a peg on which to hang his landlord's grievances. I would ask him to be patient and wait till the July session to see if I can introduce some necessary rectification in the Act. Mr. Addy has himself a Bill to repeal this Act and he intends to introduce it at the next session; he will then have ample opportunity to tell us whether the Act is justifiable or not. Meanwhile I hold that it is very hard to insist on this cut upon the demand for the Rent Controller and his office, thereby laying on the shoulders of the Rent Controller all the blame for the continuance of the Rent Act, which is in force and will continue to be in force up to the 31st March 1927. This motion, if carried, will mean the disappearance altogether of the Rent Controller. Therefore, I say that most of the remarks of Mr. Addy are entirely misplaced and should be ruled as out of court.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: Mr. Amulya Dhone Addy has criticised the Calcutta Rent Act. I think he would have done better to conserve all his energy and oration for his Bill to come up. However, the Council chose to extend the life of the Rent Act up till 31st March 1927 as Dr. Moreno has already said and this was in spite of Government opposition. Therefore, as long as this Act is in force we have got to provide for the Rent Controller and his establishment. So I strongly object to this motion.

Babu AMULYA DHONE ADDY: I do not press my motion; I beg to withdraw it.

The motion was then, by leave of the Council withdrawn.

Mr. K. C. RAY CHAUDHURI: I want to speak on the motion for demand for Inspector of Factories. I would just make one or two observations on the working of the Indian Factories Act in Bengal. This Act was originally passed in 1911 and amended in 1922 in accordance with the conventions of the International Labour Conference. The amendment of 1922 introduced drastic changes regarding working hours and holidays, regarding employment of children and women and health and safety of labour. In fact thanks to the sincere and ceaseless efforts of the Bureaucrats in charge of labour in the Government of India in 1921, India can boast of a labour legislation far more humane than anything of this kind in Japan and even in some of the advanced countries of Europe. No factory hand in any part of India is allowed to work more than 60 hours a week or 11 hours a day and no woman is allowed to work after 7 in the evening. No child below the age of 12 can be employed in a factory and no child is allowed to work for more than six hours a week and every employee must have one hour's mid-day rest after six hours' work. I have indicated to you just a few provisions of the Act but there are other provisions regarding safety and hygiene of labour which should bring about a new era for the gradual amelioration of our labouring classes.

Mere legislation, however, will avail nothing unless there is a strong and ever watchful staff of Inspectors to enforce these legislations. There are over 1,100 factories in Bengal and about 540,000 hands employed in these factories including 71,659 women and 35,000 children under the age of 15. It is perfectly ridiculous to propose to employ only 11 Inspectors to carry on the work in Bengal and Assam. No wonder the employers in jute mills, cotton mills, oil mills and other sundry mills ride rough shod over the Act, exploit child labour and profit by sweating labour. Mr. Thomas Johnstone, M.P. for Dundee, and Mr. Sime, the Secretary of the Textile Workers Union of Dundee, paid us a cold weather visit and took great pains in personally examining the working of the Factories Act, and what did they find? Mr. Sime played the part of Sherlock Holmes, dressed himself like an Indian and visited certain jute mills and caught children below the legal age who were allowed to work, detected many other flagrant and deliberate breaches of the Act on the part of the management and one case was so bad that the repetition of it caused sensation in Dundee on the return of these two labour champions after their short sojourn in India. The incident was this; the manager of a jute mill (I won't give the name) was prosecuted for employing certain children for more than six hours on a particular day. The defence

was of course a denial of the fact; but it transpired from the confession of the Manager that he was instructed to keep two sets of books of attendance, one for the inspection of the Factory Inspector and the other for private purposes. Mr. Sime, the energetic Union Secretary, procured certified copy of that confession recorded in a court of law and carried it to his home. Sir, there are many other things happening before our very eyes without let or hindrance simply because you have not got enough men to go and make proper inspection. Regarding safety of factory lives and protection against accidents I am afraid Indian factories lag far behind Europe or America. Mere fencing of machinery is not much of a protection. There must be a strong propaganda backed by industrialists and Government and public opinion on the lines of the National Safety Council of America to preach, to publish and propagate the gospel of safety first in mill area, in docks and jetties and railway establishments. I am in close touch with jute mill labour and not a week passes when I do not handle compensation claims and pass them on to Mr. Lethbridge, our Compensation Commissioner, and I am struck by the urgent necessity of a strong safety-first propaganda among the mill and dock and railway hands. That sad case of fatality by electricution of several dock hands in King George's Dock last year must bring home to the authorities and to the public that mere fencing of machinery or putting up of "danger notices" did not help. That terrible tragedy in the Indian Jute Company at Serampore which killed several lives by asphyxiation, *i.e.*, poisonous gas, should convince the necessity of starting a strong organisation of safety. Numbers of accidents in factories are increasing year after year. The numbers recorded by the Inspectors of Factories in 1924 was 2,222, an increase of 552 over the previous year. One workshop alone, *viz.*, Bengal-Nagpur Railway workshop at Kharagpur was responsible for 341 accidents, *viz.*, 15 per cent. of the whole of Bengal. Fatal accidents increased from 60 in 1922 to 76 in 1923. As a matter of fact there are hundreds of accidents not recorded at all and one of the effects of the Workmen's Compensation Act which came into operation in 1924 is that better record should be available. On the contrary small owners of factories who still refuse to insure against accidents are now obliged to save their own skins and to give false reports and thus deprive injured workmen employed by them of legitimate compensation.

Any way, prevention is better than cure and one of the best preventives would be an intensive safety propaganda by posters, vernacular pamphlets and lectures. I urge the Government to take a lead in this matter and not leave things in the hands of the Industrialists or philanthropists. I would like the Hon'ble Mr. Donald to summon a conference and establish a safety committee with himself or His Excellency the Governor as President. The industrialists would save a lot of money payable as compensation by financing this proposed

organisation. At Geneva and in London I have attended many a safety-first conferences and lectures and have been supplied with hundreds of leaflets. In fact I signed a pledge that I would engage myself in this humanitarian work but I find there is no field here, I spoke to industrial magnates who appreciate the objects but do not make a move. I am willing to place my humble services at the disposal of any safety organisation that may be started.

Before I sit down I would just say one word about jute mill shifts. It is most unfortunate that the jute mills in Bengal, nearly 85 of them, employing 3½ lakhs of labour, work a complicated system of shifts giving very little chance to employees to enjoy home life or instruct their children. It is simply ridiculous that a mill hand works three or four hours at a time, go home and come back and work again for three hours, go home again and work the last shift. This is no good. There must be single shifts with a break for mid-day rest. I was told that single shifts will throw out nearly 30,000 hands out of job in Bengal. It may be hard in the begining; but things will settle down and those in permanent employment would earn more money than they are doing now. With these words I urge the Government to do its utmost to enforce the Factory Act to the letter and to establish a Safety-First Organisation Committee.

Babu DEBI PROSAD KHAITAN: The only reason for which I rise to take part in this debate is that I feel that some statements made by my friend, Mr. K. C. Ray Chaudhuri—

Mr. PRESIDENT: Mr. Khaitan, there are only five minutes more to finish this demand. So you must be very brief.

Babu DEBI PROSAD KHAITAN: As I was saying, some statements made by my friend, Mr. Ray Chaudhuri should not go unchallenged. I am surprised that speaking in Bengal, he speaks of the "sweating of labour". I think it is well known that the jute mills of Bengal form the principal industry here, and they do not work more than 54 hours in the week, which means that even if they work the whole week, no man will have to work more than 9 hours a day. In fact, the real complaint of Indians is in regard to the manner in which labour legislation has come into operation and that it is premature. Though I fully sympathise that the conditions of labour should be improved and that something should be done to ameliorate the condition of labourers, but the manner in which Mr. Ray Chaudhuri has stigmatised industrialists and the Inspectors of Factory in this matter appears to be absolutely unjustified.

Mr. F. E. JAMES: I would like to ask two questions. In the first place, is there any prospect of the number of Factory Inspectors being

increased? In the second place, have the Government under consideration the appointment of a woman Inspector? I understand that the latter point has been recommended by the Chief Inspector of Factories and public bodies. I should like to know whether Government intend to include these two matters in their programme.

The Hon'ble Mr. J. DONALD: There is little time left for reply. We have recently had many questions of factory inspection before us and they receive very careful attention. At the present moment, I am examining the strength of our factory staff in order to see how far it is sufficient and whether it requires strengthening. We have had difficulties in the past, and it has not been easy to get new recruits, but the whole question is receiving our very serious consideration. I need hardly say that we realise the importance of factory inspection and the difficulties that underlie it. The question of the appointment of a woman Inspector will be taken along with that of the strengthening of the staff of Inspectors. I do not propose to go into the question of shifts. It is a difficult question on which there is much difference of opinion. But I might say with reference to Mr. Ray Chaudhuri's remark about the single shift being for the benefit of the labourer, that there was a strike the other day when one mill changed from multiple to single shifts. As regards the safety-first campaign, I can assure Mr. Ray Chaudhuri that I shall also look into it.

Dr. H. W. B. MORENO: May I ask the Hon'ble Member whether he thinks that eleven Inspectors are sufficient for the purpose of examining all the factories in Bengal?

The Hon'ble Mr. J. DONALD: I think we are understaffed at present.

The motion that a sum of Rs. 2,70,000 be granted for expenditure under the head "37—Miscellaneous Departments", was then put and agreed to.

41 and 60—Civil Works.

The Hon'ble Mr. J. DONALD: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 1,03,05,000 be granted for expenditure under the head "41 and 60—Civil Works" (pages 210 and 212, Civil Estimate).

SHAH SYED EMDADUL HAQ moved that the demand of Rs. 11,000 under the head "41—Civil Works" for construction of two rooms in the Nadia Collectorate building at Krishnagar into settlement record-rooms (page 89, Budget Estimate) be refused.

He spoke in Bengali. The English translation of which is as follows:—

There are nine motions standing in my name dealing with the total expenditure of five lakhs under this head.

Various new diseases are appearing in the country every day and Government think that they do their duty in this matter by spending few thousands on medicines. But the construction of buildings for the police and various other officers is a far more important thing to them, so important that all the vital problems of the people which cry for solution such as sanitation, water-supply, education, are relegated to the background. In the circumstances I move the reduction of these five lakhs and propose that they should be spent for sanitary purpose. I know there is no chance for this motion but as a representative of the people I could not silently watch their action and thereby give a sort of indirect help to them. They may do whatever they please but I must protest all the same.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: On account of the want of accommodation in the record-room of the Nadia Collectorate, the settlement records are still lying at Berhampore. This is causing much inconvenience to the public and there is risk of them being destroyed or lost. This grant is absolutely necessary, I oppose the motion.

The motion of Shah Syed Emdadul Haq was then put and lost.

SHAH SYED EMDADUL HAQ moved that the demand of Rs. 33,000 under the head "41—Civil Works" for construction of subdivisional court building at Nilphamari, district Rangpur (page 89, Budget Estimate) be refused.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: The present court building was built in 1903 with a corrugated roof, mat walls and a mud floor. It is necessary to have a proper building, and this grant is absolutely necessary for this purpose. I oppose the motion.

The motion of Shah Syed Emdadul Haq was then put and lost.

SHAH SYED EMDADUL HAQ moved that the demand of Rs. 40,000 under the head "41—Civil Works" for a treble munsifi at Bankura (page 90, Budget Estimate) be refused.

The motion was put and lost.

SHAH SYED EMDADUL HAQ moved that the demand of Rs. 60,000 under the head "41—Civil Works" for additions and alterations [illegible]

the Civil Court buildings at Khulna (page 90, Budget Estimate) be refused.

The motion was put and lost.

SHAH SYED EMDADUL HAQ moved that the demand of Rs. 15,000 under the head "41—Civil Works" for a new court building for the munsifi at Kandi (page 90, Budget Estimate) be refused.

The motion was put and lost.

SHAH SYED EMDADUL HAQ moved that the demand of Rs. 15,000 under the head "41—Civil Works" for a court house for the Sub-Judge at Malda (page 90, Budget Estimate) be refused.

The motion was put and lost.

SHAH SYED EMDADUL HAQ moved that the demand of Rs. 1,50,000 under the head "41—Civil Works" for reconstruction of Reserve Police Lines at Barisal (page 92, Budget Estimate) be refused.

The motion was put and lost.

SHAH SYED EMDADUL HAQ moved that the demand of Rs. 28,000 under the head "41—Civil Works" for a duplicate set of machinery to work the cooling plant in the Calcutta Police Morgue (page 92, Budget Estimate) be refused.

The motion was put and lost.

The following motions were called but not moved:—

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 1,50,000 under the head '41—Civil Works' for construction of building for the accommodation of Burrabazar Police' (page 92, Budget Estimate) be refused."

Maulvi EKRAMUL HUQ: "That the demand of Rs. 20,47,300 under the head '41—Civil Works—Reserved A (*a*) Buildings not commenced' (page 3, Public Works Department Estimate) be reduced by Rs. 18,71,300."

Babu AMULYA DHONE ADDY: I beg to move that the demand of Rs. 32,08,000 under the head "41A—Civil Works—Original Works—Buildings" (page 211, Civil Estimate) be reduced by Rs. 2,08,000.

I do not insist on my amendment to reduce the grant, but I want to make a few suggestions in connection with the policy of the Government in Civil Works. Sir, from the Budget, page 211, it will be seen that for Original Works, namely Buildings, Rs. 32,08,000 has been

provided, and it appears from the details that some of these works are of a permanent nature, *viz.*, construction of buildings, making of roads, etc., works which are likely to last for a number of years, works in which not only the present generation, but our children and grandchildren are vitally interested. I would suggest that the cost of the execution of these works should be met not from Revenue Funds, as suggested in the Budget, but from a Loan Fund. These are some of the works referred to: Item 9 of the Civil Estimate, extension of the Dacca Collectorate Building, the estimate is Rs. 1,75,000 and Rs. 76,000 has been provided in the budget. Item 30, Construction of a quadruple munsifi at Chandpur, Rs. 1,42,000, Rs. 1,00,000 has been provided in the budget. Item 109, estimate for the improvement of the Moynaguri-Dupguri road, including construction of lower Jaldhake Bridge and Subdivisional building, the estimate is Rs. 21,95,000, Rs. 3 lakhs provided in the budget. The question is whether this work which will cost about 22 lakhs of rupees should be committed, and whether the cost of execution of this work should be met from the Revenue Fund or not. I consider it ought to be met from the Loan Fund. Sir, there is a provision in the Calcutta Municipal Act, under which, the case of the construction of a new building, the cost is met from the Loan Fund and the cost of maintenance and repairs, and establishment for the execution of this work is met from the Revenue Fund. It may be that we shall have to pay interest at the rate of 6 per cent. per annum, and make a contribution towards the Sinking Fund for the payment of this loan, at the rate of say 2 per cent. but in that case for a Revenue expenditure of Rs. 8,000 we shall be in a position to execute a work costing a lakh of rupees. The question is whether, having regard to the fact that we have got a deficit budget, having regard to the sacred assurance that the Government was pleased to give to our constituencies at the time of the enactment of the Taxation Bills that more money would be allotted to the nation-building departments, the present policy of the Government in meeting the cost of these works of a permanent nature from the Revenue Fund, is a correct policy.

I simply wish to draw the special attention of the Government to the policy under which this budget has been prepared for their future guidance.

The Hon'ble Mr. J. DONALD: I discussed this question some time ago in connection with Police buildings, when I placed the position before the House. When we have balances, where is the advantage of borrowing money and paying heavy interest on it. We propose to carry out these various schemes with the money we have got. Our trouble is as regards recurring expenditure, and ought we to add to our recurring expenditure when there is money in our balances. If we spend the

money from our balances there will be no addition to the recurring expenditure. If we borrow there will be heavy recurring expenditure on account of interest. There are cases where it is our policy to borrow, and we have done this in connection with the Calcutta Police buildings. Big schemes, it is our intention, to meet from loans and the Calcutta Police buildings is a case in point. In regard to the Minaguri-Dupguri Road, the greater part of the money has been spent already. But the suggestion will not be lost sight of, and we shall see whether we can in any way improve the present position.

The motion of Babu Amulya Dhone Addy was then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

SHAH SYED EMDADUL HAQ: "That the demand of Rs. 1,50,000 under the head '41—Civil Works' for surfacing the Barrackpore Trunk Road from Calcutta to Palta with 2" tar pitch macadam (page 96, Budget Estimate) be refused."

Rai HARENDRANATH CHAUDHURI: "That the demand of Rs. 3,00,000 under the head '41—Civil Works' for the improvement of Mainaguri-Dhupguri Road, etc. (page 97, Budget Estimate) be refused."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 93,62,000 under the head '41—Civil Works' (page 211, Civil Estimate) be reduced by Rs. 20,00,000.

Babu NALINIRANJAN SARKER: "That the demand of Rs. 93,62,000 under the head '41—Civil Works' (page 210, Civil Estimate) be reduced by Rs. 10,00,000."

Babu JOGINDRA CHANDRA CHAKRAVARTI: "That the demand of Rs. 93,62,000 under the head '41—Civil Works' (page 210, Civil Estimate) be reduced by Rs. 10,000."

The motion that a sum of Rs. 1,03,05,000 be granted for expenditure under the head "41 and 60—Civil Works" was then put and agreed to.

43—Famine Relief.

The Hon'ble Mr. J. DONALD: On the recommendation of His Excellency, I beg to move that a sum of Rs. 50,000 be granted for expenditure under the head "43—Famine Relief" (page 213, Civil Estimate).

The motion was put and agreed to.

45—Superannuation Allowances and Pensions—F. F. Commuted value of Pensions.

The Hon'ble Mr. J. DONALD: On the recommendation of His Excellency, I beg to move that a sum of Rs. 54,61,000 be granted for expenditure under the head "45—Superannuation Allowances and Pensions and F. F. Commuted value of Pensions" (page 215, Civil Estimate).

The motion was put and agreed to.

46.—Stationery and Printing.

The Hon'ble Mr. J. DONALD: On the recommendation of His Excellency, I beg to move that a sum of Rs. 17,82,000 be granted for expenditure under the head "46—Stationery and Printing" (page 216, Civil Estimate).

The following motions were called but not moved:—

Babu TARAKNATH MUKERJEA: "That the demand of Rs. 8,50,000 under the head '46—Stationery supplied from Central Stores' (page 216, Civil Estimate) be reduced by Rs. 1,50,000."

Maulvi EKRAMUL HUQ: "That the demand of Rs. 8,15,000 under the head '46A—Government Presses' (page 216, Civil Estimate) be reduced by Rs. 50,000."

Babu HEMANTA KUMAR SARKAR: "That the demand of Rs. 8,15,000 under the head '46A—Government Presses' (page 216, Civil Estimate) be reduced by Re. 1."

Babu AMULYA DHONE ADDY: "That the demand of Rs. 40,000 under the head '46—Stationery and Printing—Cost of stores purchased in England' (page 216, Civil Estimate) be reduced by Rs. 10,000."

Maulvi EKRAMUL HUQ: "That the demand of Rs. 8,92,000 under the head '46—Stationery and Printing (R. & R. A.)—Stationery supplied from Central Stores' (page 216, Civil Estimate) be reduced by Rs. 1,25,000."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 17,82,000 under the head '46—Stationery and Printing' (page 216, Civil Estimate) be reduced by Rs. 3,00,000."

The motion that a sum of Rs. 17,82,000 be granted for expenditure under the head "46—Stationery and Printing" was then put and agreed to.

[At this stage the Council was adjourned for 10 minutes.]

(After the adjournment.)

47—Miscellaneous.

The Hon'ble Mr. J. DONALD: On the recommendation of His Excellency the Governor, I move that a sum of Rs. 3,87,000 be granted for expenditure under the head "47—Miscellaneous" (page 223, Civil Estimate).

The following motions were called but not moved:—

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 13,000 under the head '47C—Special Commission of Enquiry' (page 225, Civil Estimate) be refused."

Babu AMULYA DHONE ADDY: "That the demand of Rs. 1,21,500 under the head '47E—Other charges' (page 225, Civil Estimate) be reduced by Rs. 21,500."

Babu AMULYA DHONE ADDY: I move that the demand of Rs. 1,93,500 under the head "47E—Miscellaneous and unforeseen charges" be reduced by Rs. 43,500.

Sir, I move this amendment not for the purpose of reducing the grant but for the purpose of discussing a question of policy involved in it. It will appear from page 225 that Rs. 1,93,500 consists of Rs. 72,000 for the internment of British subjects under the Defence of India Act and the Ordinance Act and Rs. 1,21,000 for other charges. With regard to other charges, I beg to submit that the actual of the year 1924-25 was Rs. 32,000. Then the revised estimate for the current official year is Rs. 35,000. It is proposed to increase it to Rs. 1,21,000. I object to this increase though I admit that a sum should be provided in the budget for unforseen charges but the grant of Rs. 1,21,000 appears to be very high having regard to the fact that Government thought it fit to provide Rs. 35,000 in this year's budget and the actual expenditure of this grant in the year 1924-25 is Rs. 32,000. As regards the question of policy this sum includes Rs. 72,000 for the maintenance of Ordinance prisoners. I submit, Sir, for the favourable consideration of the Government that political prisoners should be released as early as possible. I admit time was when there was terrorism everywhere in Bengal and especially in Calcutta and those gentlemen who co-operated with the Government were threatened with murder and I was even threatened with murder not once but thrice. Sir, that was the time when Government might have been justified, but now that the time and circumstances have materially changed; peace, law and order have been restored in Calcutta as well as in other parts of Bengal, the sooner these political prisoners are set at liberty the better. Sir, when we discussed this Ordinance Bill in this Council we were under the impression that that Act would be in force

only for a limited period and these political prisoners would be detained for a short period. But, Sir, now though about a year and a half have elapsed still they have not been released. Sir, this Ordinance Act is, I submit, highly objectionable inasmuch as it takes away persons without trial.

Mr. E. VILLIERS: May I rise to a point of order, Sir? Is the hon'ble member relevant in referring to it?

Mr. PRESIDENT: You will find that the demand includes a demand of Rs. 72,000 for political prisoners. He is, therefore, relevant.

Babu AMULYA DHONE ADDY: There is a provision for Rs. 72,000 in the budget and I submit that it should be expunged from it and the political prisoners released as early as possible. These persons have been arrested at dead of night without giving them any opportunity of the right to defend themselves in an open trial or before a proper court of justice. I submit, Sir, Government have imprisoned these persons simply on the report of police officers; and I submit that however credible those reports may be unless they are tested by cross-examination they cannot be regarded as legal evidence. Sir, I submit, that at the present moment there exists grave discontent in Calcutta. The citizens of Calcutta regard the arrest of their supreme executive head of the Calcutta Corporation as an insult to them.

Mr. PRESIDENT: I think it is not under the Ordinance Act, but under Regulation III.

Babu AMULYA DHONE ADDY: But this refers to prisoners both under the Defence of India Act as well as under the Ordinance Act.

Mr. PRESIDENT: Does it also refer to Regulation III?

The Hon'ble Sir HUGH STEPHENSON: The headings are entirely wrong. Mr. Addy refers to two Acts but it should be the Criminal Law Amendment Act. The gentleman who is referred to is at present under the Criminal Law Amendment Act.

Babu AMULYA DHONE ADDY: I refer to these prisoners who have been arrested under the Ordinance Act. I submit that these political prisoners have been arrested and kept in prison for a long time without informing them what the charges against them are, without giving them the right to defend themselves in an open court and simply on the reports of the police officers which cannot be regarded as legal evidence unless and until they are tested by cross-examination.

Sir, it appears from a speech of Mr. J. N. Sen Gupta, the Leader of the Swaraj Party of this Council, delivered in 1924, that even during the last War, German spies had the benefit of open trial and had the right to be represented by Counsel. Sir, if that be the practice in England against even the bitterest enemies of ours—the German spies it is all the more reasonable that these political prisoners should be released without the least delay. Sir, the War has long terminated and those Indians who are the subjects of the British Crown should on no account be treated in this way. I would here draw the special attention of this Council to a report which has been published in to-day's paper "*Statesman*"—I mean the report of the Indian Advisory Committee of the Independent Labour Party of the British Parliament in which we have the greatest confidence.

Mr. P. N. CUHA: May I rise to a point of order. The report the hon'ble member is referring to has appeared in "*Englishman*" and not in the "*Statesman*". (Laughter.)

Babu AMULYA DHONE ADDY: I am sorry, Sir. However it says—

> It has only been possible to maintain the alien Government of India by repressive measures During the past few years, liberty of speech, press, meeting and person has been seriously affected by Viceregal Ordinances and the enforcement of obsolete laws, giving extra judicial power to executive. In Bengal, a very large number of political workers of high standing have been arrested and deported without trial, and even without the formulation of any charge in a Court of law.

One word more and I have done I request Government that the political prisoners may be released as early as possible.

The Hon'ble Sir HUGH STEPHENSON: Sir, I take it that Mr. Addy only wants to reduce the particular item of Rs. 72,000 therefore I rise to oppose it. Sir, we have debated the question of the political prisoners and the Ordinance in this Council on various occasions and after the statements which I have made from time to time, I think, Mr. Addy will not expect me to re-open the debate on political prisoners at this hour of the day. The only effect of this reduction will be that the political prisoners will receive less money. This money represents largely the allowances of the political prisoners who are allowed to live in villages and the only effect of the reduction, as I have said, will be that less money will be paid to them for their expenses.

The Hon'ble Mr. J. DONALD: Sir, the provision includes Rs. 80,000 for the general reserve. The money from this reserve when it is spent is debited to the particular head of expenditure and does not then therefore appear under this head. Therefore the revised must necessarily be less than the budget head.

Babu AMULYA DHONE ADDY: After what I have heard I withdraw my motion.

The motion was then, by leave of the Council withdrawn.

The following motions were called but not moved:—

Babu BEJOY KRISHNA BOSE: "That the demand of Rs. 1,93,500 under the head '47E—Miscellaneous and unforeseen charges' (page 225, Civil Estimate) be reduced by Re. 1."

Maulvi ASIMUDDIN AHAMAD: "That the demand of Rs. 3,87,000 under the head '47—Miscellaneous' (page 223, Civil Estimate) be reduced by Rs. 2,00,000."

Dr. PRAMATHANATH BANERJEA: "That the demand of Rs. 3,87,000 under the head '47—Miscellaneous' (page 223, Civil Estimate) be reduced by Rs. 1,50,000."

The motion that a sum of Rs. 3,87,000 be granted for expenditure under the head "47—Miscellaneous" was then put and agreed to.

51A—Miscellaneous adjustments between the Central and Provincial Governments.

The Hon'ble Mr. J. DONALD: On the recommendation of His Excellency the Governor, I move that a sum of Rs. 38,000 be granted for expenditure under the head "51A—Miscellaneous adjustments between the Central and Provincial Governments" (page 226, Civil Estimate).

SHAH SYED EMDADUL HAQ moved that the demand of Rs. 29,000 under the head "51A—Miscellaneous adjustments between the Central and Provincial Governments—Cost of training in England of Forest Officers" (page 226, Civil Estimate) be reduced by Rs. 14,000.

He spoke in Bengali. The English translation of which is as follows:—

Sir, the people do not approve of the expenditure under this head. I think Government might have saved much time and trouble by placing it on the non-voted list. As they have not done it I move the reduction of Rs. 14,000 which forms an increase upon the last year's demand.

The Hon'ble Mr. J. DONALD: Sir, I may say just a word about this. This is a debt to the Central Government: we must pay our debts. The money was spent on the training of our officers.

The motion of Shah Syed Emdadul Haq was then put and lost.

The following motion was called but not moved:

Maulvi ASIMUDDIN AHMED: "That the demand of Rs. 38,000 under the head '51A—Miscellaneous Adjustments between the Central and Provincial Governments' be reduced by Rs. 28,000."

The motion that a sum of Rs. 38,000 be granted for expenditure under the head "51A—Miscellaneous adjustment between the Central and Provincial Governments" was then put and agreed to.

EXPENDITURE IN ENGLAND.

The Hon'ble Mr. J. DONALD: On the recommendation of His Excellency the Governor, I move that a sum of Rs. 6,37,000 be granted for expenditure under the head "Expenditure in England".

The following motion of Rai Harendranath Chaudhuri was called but not moved:—

"That the demand of Rs. 6,37,000 under the head 'Expenditure in England—Estimate of leave and other allowances payable in England' be refused."

The motion of the Hon'ble Mr. J. Donald was then put and agreed to.

LOANS AND ADVANCES.

The Hon'ble Mr. J. DONALD: On the recommendation of His Excellency the Governor, I move that a sum of Rs. 5,69,000 be granted for expenditure under the head "Loans and Advances".

The motion was put and agreed to.

Government Bills.

The Bengal Tenancy (Amendment) Bill, 1925.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: Sir, may I with your permission make a statement before the House regarding the Bengal Tenancy (Amendment) Bill, 1925. The Select Committee had instructions to submit their report in time for its consideration in this session of the Council. But, Sir, on account of the importance of the measure it has not been found possible for the Select Committee to finish its deliberations in time for the presentation of their report. Thanks to Mr. Guha, the large quorum of 11 out of the total number of members, *viz.*, 19, was to some extent responsible for the delay. In a measure also of this kind the Legislative Department must have sufficient time to draft it carefully. It is, however, anticipated that it will be possible to publish the Bill and the Report in May, and present the report formally at the opening of the July session of the Council, so that the Bill can be taken up at that session.

The Howrah Bridge Bill, 1926.

The Hon'ble Mr. J. DONALD: I beg to present the Report of the Select Committee on the Howrah Bridge Bill, 1926. I do not propose to make any long statement but would offer only a few remarks. The Bill has been modified a great deal. The Committee have come to the conclusion that a bridge of the cheapest possible type should be constructed and to that end they have amended the taxation clause, clause 8. There is considerable difference of opinion on this particular clause. I will leave it to the hon'ble members to read the various recommendations which are embodied in the report. This is really the most important proposal in the Bill. In view of the fact that the working of the river and the port will be affected by the type of the bridge that is proposed to be constructed, the Committee have decided that it should be entrusted to the Port Commissioners who at present maintain and look after the existing bridge.

I beg also to move, under the proviso to Standing Order 6 (2), that the Howrah Bridge Bill, 1926, be continued until the next session of the Bengal Legislative Council. This is a formal matter because unless this is done the Bill will lapse and an important Bill of this nature should not be allowed to lapse. So I move this motion in order that the Bill may come up for consideration at the next session of the Council.

The motion was put and agreed to.

The Bengal Motor Vehicles Tax Bill, 1926.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: I beg to introduce a Bill to provide for the imposition and levy of a tax on motor vehicles in certain areas in Bengal.

The Secretary then read the title of the Bill.

The Calcutta Improvement (Amendment) Bill, 1926.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: I beg to introduce a Bill further to amend the Calcutta Improvement Act, 1911.

The Secretary then read the title of the Bill.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: I beg to move that the said Bill be taken into consideration.

The motion was then put and agreed to.

The following motion stood in the name of Shah Syed Emdadul Haq:—

"To move that in the proposed clauses (*b*) and (*c*), after the words 'Special Constituencies' the words 'and Muhammadan Constituencies' be inserted."

SHAH SYED EMDADUL HAQ asked for permission to move his motion in the following amended form: "That in the proposed clause (*c*) after the words 'Special Constituencies' the words 'and Muhammadan Constituencies' be inserted".

Mr. PRESIDENT: The amendment that the Shah Sahib proposes is that in clause (*c*) after the words "Special Constituencies" the words "and Muhammadan Constituencies" be inserted: that is, he wants to give the Muhammadans two chances.

Permission to move the motion as altered was permitted.

He spoke in Bengali. The English translation of which is as follows:—

Sir, my amendment aims at increasing Moslem representation in the present Improvement Trust Bill, because I think injustice has been done to Moslem claims by the framers of the Bill. I have been coming to the Council for the last few days with the sole object of being able to move this amendment.

With the permission of the Hon'ble President I beg to move this amendment to the effect that in Section C in clause 2, the words "Muhammadan constituency" be added after the words "special constituency". Our Hindu brethren do not suffer in any way by the result of the acceptance of this amendment but Moslems secure an important concession. I have been told by the Hon'ble Member in charge that he will oppose the amendment. In that case there is no chance against Government even if all the Moslem members jointly support it. But I am not afraid. In spite of Government opposition I shall demand division on the voting of this motion and I hope that the Hindu members will join their Moslem colleagues in supporting the motion.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: Sir, I do not think that the Shah Sahib's object will be served by the amendment which he has moved. Although I fully appreciate the sentiment of my Muhammadan friends in their anxiety to have a seat on the Improvement Trust, it is not the proper way to get it done. If you look to the preamble of the Bill, you will see that we are introducing the Bill so as to restore the number as originally provided for in the Act. We are not bringing in any new controversial matter in this Bill. It should merely be treated as an emergency measure and

that is why I wish to bring it in before the Council at this fag end o the session. The best way for the Shah Sahib will be to move hi amendment when the main Act is under revision. All I can say a this moment is that when the next vacancy occurs in the Trust, th question of the appointment of a Muhammadan will be taken into con sideration in filling up the vacancy. I, therefore, oppose this amend ment.

The motion of Shah Syed Emdadul Haq was then put and a division taken with the following result:—

AYES.

Ahmed, Maulvi Tayebuddin.	Huq, Maulvi Ehramul.
Ali, Maulvi Sayyed Sultan.	Lal Mahammed, Haji.
Daud, Mr. M.	Rahim, Sir Abd-ur-.
Farequi, Khan Bahadur K. G. M.	Salam, Khan Bahadur Maulvi Abdus.
Haq, Khan Bahadur Kazi Zahirul.	Sarkar, Maulvi Allah Bukhsh.
Haq, Shah Syed Emdadul.	Suhrawardy, Dr. A.
Hossain, Nawab Musharruf, Khan Bahadur.	

NOES.

Addams-Williams, Mr. C.	Khaitan, Babu Debi Prosad.
Addy, Babu Amulya Dhone.	Lindsay, Mr. J. H.
Barma, Rai Sahib Panchanan.	Mitter, Sir Pravash Chunder.
Basu, Babu Jatindra Nath.	Moreno, Dr. H. W. B.
Birley, Mr. L.	Oaten, Mr. E. F.
Chaudhuri, the Hon'ble Nawab Bahadur Saiyid Nawab Ali, Khan Bahadur.	Patterson, Mr. D. C.
Das, Rai Bahadur Amar Nath.	Ray, Babu Nagendra Narayan.
Donald, the Hon'ble Mr. J.	Ray, the Hon'ble Maharaja Bahadur Kshaunish Chandra.
Drummond, Mr. J. G.	Roy, Mr. S. N.
Dutt, Mr. G. S.	Roy, Mr. Tarit Bhusan.
Forrester, Mr. J. Campbell.	Skinner, Mr. S. A.
Guha, Mr. P. N.	Smith, Mr. J. F.
Heard, Major-General Richard.	Stephenson, the Hon'ble Sir Hugh.
Hopkyns, Mr. W. S.	Travers, Mr. W. L.
James, Mr. F. E.	Villiers, Mr. E.
Jennaway, Mr. J. H.	Woodhead, Mr. J. A.

The Ayes being 13 and the Noes 32 the motion was lost.

The Hon'ble Maharaja KSHAUNISH CHANDRA RAY Bahadur, of Nadia: I move that the Calcutta Improvement (Amendment) Bill, 1926, as introduced in Council, be passed.

Dr. H. W. B. MORENO: I generally oppose the principle of this Bill for the reason that the provisions in the Bill for representation on the Board are very meagre and do not allow for adequate representation of special communities resident in Calcutta. I quite realise that the intention of Government is merely to restore the number as in the old Calcutta Improvement Act, but I hold that Government when introducing a new Bill like the Calcutta Improvement Act should have dealt with the whole question in a thorough manner, instead of introducing a legislation of a piecemeal character. I would specially draw the

attention of Government to the condition of the Anglo-Indian community most of whom are resident in Calcutta—I allude to the community as found in Bengal, of whom there are over 25,000 Anglo-Indians in Calcutta itself. All of them—I will not make such a sweeping statement—most of them—pay their rates and taxes to the Calcutta Corporation as well as what other taxes that they may have to pay to Government. We find that in this Bill no provision has been made for the representation of this community on the Board of Trustees of the proposed Bill. In addition I may point out that in carrying out the terms of the Calcutta Improvement Trust Act most of the poorer classes of Anglo-Indians have been dehoused with the result that they have been forced to take quarters that are very uncongenial to them. I take it, therefore, that this Bill will, in a way, affect the community, for it does not allow for their adequate representation on the Board of Trustees.

Now, Sir, examining actually the provisions made in this Bill for representation we find that sub-clause (*a*) of the Calcutta Improvement Act, 1911, allows one representative to be put forward by the Corporation, sub-clause (*b*) for one Councillor elected by the constituencies other than the special constituencies, and (*c*) for one jointly by the Councillors appointed under clause (*b*) of section 5 of the Calcutta Municipal Act, 1923, and the Councillors elected by the special constituencies. So far as sub-clause (*a*) is concerned it is hardly likely that Anglo-Indians will find representation on the Board of Trustees, because of the fact that they are not very largely represented on the Corporation. I may say that beyond the chance nomination of a single member of my community by Government, there is no provision made for Anglo-Indian representation although there are definite provisions made for Muhammadan representation, so that with regard to sub-clause (*a*) there could be no possibility of any Anglo-Indian being elected by the Corporation. Then with regard to sub-clause (*b*), I do not see any hope of any Anglo-Indians being represented. With regard to (*c*) provision has been made for special constituencies. I might point out that these special constituencies are constituencies which are mainly European; they are constituencies such as the Bengal Chamber of Commerce, the Calcutta Tardes Association and the Port Commissioners, taking then all these sub-clauses together, we find that while all the communities will get representation the Anglo-Indian community will have no hope of coming on the Board of Trustees. I take it that it is the avowed intention of Government to protect minorities as far as possible and I take it also that it is the broad view of Government to meet as far as possible the claims of minorities. We have here the Maharaja Bahadur of Nadia saying very generously that Muhammadans will find a place in the new Board of Trustees as vacancies occur, yet throughout these clauses no provision is made for Anglo-Indian representation. I appeal to the Government to consider the interests

of my community. I am here to voice the feelings and sentiments of my community and I have endeavoured to do so in season and out of season. I trust, therefore, that Government will give some sort of assurance that the interests of my community will not be altogether overlooked, because I hold that under the present sub-clauses there can be no chance of their interests being represented. I, therefore, would like Government to consider most earnestly the objections that I have put forward in my speech. The Anglo-Indians are a large and growing community here in Calcutta and they pay their share of rates and taxes as any other community; and as such they ought to find some representation on the Board of Trustees. I trust, the Government will be convinced of the reasonableness of my suggestions, and with this hope I conclude my remarks.

Mr. F. E. JAMES: I trust Government will not accept the suggestion made by Dr. Moreno. Dr. Moreno advocates the claims of the Anglo-Indian community in season and out of season. This happens to be one of the occasions when he advocates the claims of his community entirely out of season. If one reads the Bill—and I am afraid Dr. Moreno has not read the Bill—it will be found that even under the proposed constitution there is ample place for the representation of the community which Dr. Moreno represents in this House. If the members of that community can produce men who are capable of this position of responsibility they have an opportunity of doing so. There must be some limit to this doctrine of communalism in all public bodies and I am surprised to see that Dr. Moreno who has from time to time in this House denounced communalism should be one of the worst communalist I have ever met. As a matter of fact I notice that Dr. Moreno's communalism increases as the period of time between now and the next election decreases; at least that has something to do with it! I do feel that some one ought to enter a very emphatic protest against this kind of thing going on. Whenever there is proposed any measure involving representation of minorities in Calcutta or out of Calcutta Dr. Moreno gets up and fights for a place for his community. I have every sympathy with Dr. Moreno for his endeavours on behalf of his community but I do feel that in fighting on this particular question he exaggerates their importance, their ability and their numerical strength, if we are going to reserve representation for small minorities in a Bill like this simply because a particular community fights for it I do not know where it will end. We shall have Mr. Cohen fighting for the Jewish community; I shall be obliged to get up and fight for the European community. So we shall be fighting each for our own minorities. I say once again that we must put a stop, and I suggest that we put a stop now, to this pernicious doctrine of communalism.

The motion of the Hon'ble Maharaja Kshaunish Chandra Ray Bahadur was then put and agreed to.

SUPPLEMENTARY DEMANDS FOR GRANTS.

45—Superannuation Allowances and Pensions.

The Hon'ble Mr. J. DONALD: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 6,31,000 be granted under the head "45—Superannuation Allowances and Pensions" to meet the anticipated excess expenditure under the major head.

Sir, the reasons for this demand have already been explained in the memorandum which has been circulated. It calls for no further remarks from me.

The motion was put and agreed to.

51A—Miscellaneous adjustments between the Central and Provincial Governments.

The Hon'ble Mr. J. DONALD: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 31,000 be granted under the head "51A—Miscellaneous adjustment between the Central and Provincial Governments" to meet the Bengal Government's share of the cost of training probationers of the Indian Civil Service and of the Forest Department in the United Kingdom.

The motion was put and agreed to.

Prorogation.

Mr. PRESIDENT: This finishes our business. I have it in command from His Excellency the Governor to announce that the Bengal Legislative Council stands prorogued.

B. G. Press—16-4-1926—1814M & 25M of 1926-27—1,300—J. A. G.

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TO

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(Official Report.)

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